United Nations A/HRC/33/5*

General Assembly

Distr.: General
8 July 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 6
Universal periodic review

Report of the Working Group on the Universal Periodic Review**

Saint Vincent and the Grenadines

* Reissued for technical reasons on 29 July 2016.
** The annex is being circulated in the language of submission only.

GE.16-11831 (E) 290716
1611831

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fifth session from 2 to 13 May 2016. The review of Saint Vincent and the Grenadines was held at the 2nd meeting on 2 May 2016. The delegation of Saint Vincent and the Grenadines was headed by the Permanent Representative of Saint Vincent and the Grenadines to the United Nations, Inga Rhonda King. At its 8th meeting held on 6 May 2016, the Working Group adopted the report on Saint Vincent and the Grenadines.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Saint Vincent and the Grenadines: Latvia, Mexico and Mongolia.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Saint Vincent and the Grenadines:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/25/VCT/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/25/VCT/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/25/VCT/3).

4. A list of questions prepared in advance by Liechtenstein, Mexico, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Saint Vincent and the Grenadines through the troika. These questions are available on the extranet of the universal periodic review.[1] Additional questions raised during the dialogue by Costa Rica, Jamaica, Montenegro and Uruguay are summarized in section I B below.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation noted that Saint Vincent and the Grenadines looked forward to engaging with the international community during the review process. It hoped to bring a fuller appreciation of the practical challenges faced by small island developing States in fulfilling their human rights obligations.

6. Saint Vincent and the Grenadines was a plural and fully inclusive parliamentary democracy. Over sixty per cent of senior positions in Government were held by women. There was an active free press, with three weekly, independent newspapers published.

7. Saint Vincent and the Grenadines had prepared its report for submission to the second cycle of the universal periodic review based on community and focus group consultations.

[1] See www.ohchr.org/EN/HRBodies/UPR/Pages/VCSession25.aspx.

8. Since the previous review, it had progressively sought to advance human rights by strengthening its national institutional and legislative legal framework.

9. Saint Vincent and the Grenadines had adopted its present Constitution on the basis of the British one, at the time of its independence. Under the Constitution the protection of the right to life, personal liberty and freedom of conscience, expression, association and movement were guaranteed. Protection was provided from slavery, torture, inhuman treatment, deprivation of property, arbitrary search or entry, and discrimination on the grounds of sex, race, place of origin, political opinions, colour or creed and the protection of the law secured, including the right to a fair hearing and presumption of innocence.

10. In 2009, the Government, in collaboration with stakeholders locally and within the diaspora, had unsuccessfully attempted constitutional reform via a referendum. The proposed reforms included the creation of a human rights commission and an ombudsman, as well as numerous innovations in governance and human rights. Outside of its consideration in the context of constitutional reform, there had not been any national consultations on the topic of the establishment of a national human rights institution.

11. Saint Vincent and the Grenadines had ratified several key international human rights treaties since the previous review. During the thirty-first session of the Human Rights Council, the delegation of Saint Vincent and the Grenadines had outlined the country's intention of establishing a national mechanism for reporting and follow-up. The delegation was pleased to report that Cabinet was considering the proposal, which should be passed very soon. The mechanism would review and expedite compliance with outstanding treaty obligations. Additionally, the delegation reiterated the sentiments expressed by other States of the Caribbean Community to the Council for an accompanying offer of additional technical and capacity-building support in that regard.

12. Saint Vincent and the Grenadines indicated that, as a sovereign State, it must protect the most vulnerable and needy among its population within its existing and available resources. As outlined in its national report, several pieces of forward-thinking legislation and policy measures had been introduced. Similarly, within subregional groups such as the Caribbean Community and the Organization of the Eastern Caribbean States, there was the added responsibility of attempting to harmonize laws to allow for better regional integration and cooperation. Nevertheless, Saint Vincent and the Grenadines had prioritized the enactment of three new pieces of legislation, namely the 2015 Domestic Violence Act, the 2010 Child Care and Adoption Act and the 2011 Status of Children Act aimed at strengthening the domestic legal human rights framework.

13. By ratifying the Convention on the Elimination of All Forms of Discrimination against Women and complying with the Beijing Platform for Action, the Governments comprising the Organization of Eastern Caribbean States had again committed to their quest to eradicate violence against women. The Domestic Violence Act, which had been passed by Saint Vincent and the Grenadines in May 2015, was a manifestation thereof.

14. On 19 April 2016, Saint Vincent and the Grenadines had launched its National Child Protection Policy Framework in collaboration with the United Nations Children's Fund (UNICEF). The Government had also established a division strictly for the protection and rehabilitation of children. Similarly, efforts were being made to complete minor amendments to and harmonization of existing legislation. The establishment of the National Committee on the Rights of the Child to regulate the State's national machinery on the protection of children nationally had also recently been approved. As outlined in its national report, Saint Vincent and the Grenadines had implemented a series of measures to monitor and oversee the welfare of juvenile offenders. The legislation and policy framework for child justice would be tabled for consideration by the Parliament soon and would seek to provide ample diversion and detention modalities using restorative practices.

15. Saint Vincent and the Grenadines also continued to strengthen its national policy framework on gender-based violence. An ongoing anti-violence campaign, launched in 2014, focused on increasing children and communities' awareness of gender-based violence issues. The Victims' Support Programme had been established to provide psychosocial and socioeconomic support to victims.

16. The country continued to implement forward-looking policies aimed at improving and ensuring an adequate standard of living for all, as articulated in its national report. It continued to support education and health, including sexual reproductive services.

17. The country also continued to strive to achieve zero hunger and zero undernourishment.

18. Despite the fiscal challenges that the devastating effects of floods and storms over the past five years and the worldwide economic crisis had entailed, Saint Vincent and the Grenadines refused to be prevented from striving to do its best to ensure that all of its citizens enjoyed their fundamental rights and freedoms and lived in a fair and just society and to realize increased social and economic development.

B. Interactive dialogue and responses by the State under review

19. During the interactive dialogue, 46 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report. All written statements of the delegations, to be checked against delivery on the United Nations webcast archives,[2] are posted on the extranet of the Human Rights Council when available.[3]

20. The Bolivarian Republic of Venezuela recognized that Saint Vincent and the Grenadines had made progress in the incorporation of the gender perspective in health, education, agriculture and social services.

21. Algeria welcomed the improvements since the first review in the fields of domestic violence and discrimination against women, and measures to ensure access for persons with special needs to the mainstream educational system.

22. Argentina praised Saint Vincent and the Grenadines for progress made in the fight against domestic violence. It recalled that a person was last sentenced to death in the islands in 1993.

23. Australia commended Saint Vincent and the Grenadines for acceding to a range of international human rights instruments and the opening of the Belle Isle prison. It remained concerned by the conditions at the old prison in Kingstown. It regretted that violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons had not been addressed appropriately.

24. The Bahamas considered noteworthy the efforts to ensure the right to education; the enactment of domestic violence legislation; the inclusion of human rights training in the curriculum of the police force; the construction of a new correctional facility conforming to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules); and the priority accorded to poverty eradication.

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[2] United Nations webcast archives are available at http://webtv.un.org/meetings-events/human-rights-council/universal-periodic-review/25th-upr/watch/st-vincent-and-the-grenadines-review-25th-session-of-universal-periodic-review/4875358776001.

[3] Available on the extranet of the universal periodic review at https://extranet.ohchr.org/sites/upr/Sessions/25session/StVincentandtheGrenadines/Pages/default.aspx.

25. Barbados congratulated Saint Vincent and the Grenadines for adopting legislation on domestic violence and on the care and adoption of children. Barbados urged Saint Vincent and the Grenadines to establish a national human rights institution.

26. Brazil praised Saint Vincent and the Grenadines for efforts to protect foreigners and citizens from human trafficking and sexual exploitation and the training of police, migration and labour officials on that matter. It encouraged the formal abolition of the death penalty.

27. Canada commended Saint Vincent and the Grenadines on its passing of the Domestic Violence Act in 2015 and encouraged the country to implement the provisions thereof fully and promptly.

28. Chile welcomed the adoption of laws on domestic violence and the care and adoption of children, the implementation of the poverty reduction plan and human rights training for public officials. It also noted the steps taken to establish a mechanism for reporting and monitoring.

29. Colombia stressed the commitment of Saint Vincent and the Grenadines to advance in the implementation of the recommendations received during the first cycle, in particular the measures taken in the area of the rights of children and the national plan of action on gender-based violence.

30. The Congo noted that Saint Vincent and the Grenadines were not yet party to Optional Protocols to the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. It considered that the international community should provide technical assistance to the country in the area of human rights.

31. Costa Rica was concerned by the absence of an independent electoral body, the underrepresentation of women in elected positions and the delay on reporting to treaty bodies. It asked if the death penalty might be abolished in national legislation in the near future.

32. Cuba commended Saint Vincent and the Grenadines for passing legislation to address violence against women and for its housing policy. It recognized the challenges faced by small island developing States and considered it necessary for the international community to provide any assistance that the country might request.

33. Denmark recognized progress made by Saint Vincent and the Grenadines in the protection and promotion of human rights since its first review. It encouraged the country to take advantage of the expertise provided by the human rights treaty bodies through an increased focus on reporting to the relevant committees.

34. Ecuador recognized the priority given to the eradication of poverty. It welcomed efforts for the implementation of a national action plan to fight gender violence that provided greater guarantees of interim measures for the protection of victims.

35. Egypt commended the strategy to eliminate discrimination against women, the adoption of the law to combat domestic violence and efforts to facilitate schooling at the primary and secondary levels. It encouraged Saint Vincent and the Grenadines to foster the human rights legislative framework.

36. France welcomed the engagement of Saint Vincent and the Grenadines in the area of human rights and invited the authorities to continue their reforms in order to ensure full respect of human rights in the country.

37. Germany commended Saint Vincent and the Grenadines for its achievements, in particular with regard to the strengthening of the protection of the rights of women and children and encouraged it to continue to invest in those areas.

38. Ghana noted the adoption of the Domestic Violence Act and a national action plan to end gender-based violence, as well as the establishment of the National Committee on the Rights of the Child. It remained concerned, however, about reports of violence against women and girls.

39. Greece noted progress achieved in the field of domestic violence, including the adoption of the Domestic Violence Act, which broadened the definition of domestic violence and strengthened the child protection mechanisms.

40. Guatemala noted with satisfaction the adoption of the new law on domestic violence but remained concerned that the legislation did not criminalize sexual harassment in all areas. It indicated that steps should be taken to adopt legislation to fully ensure the principle of gender equality.

41. Haiti noted progress made in reducing gender-based violence, improving detention conditions and ensuring access to adequate housing.

42. Honduras noted the adoption of the Domestic Violence Act and efforts to achieve universal access to primary and secondary education and to guarantee cultural diversity and the protection of cultural heritage

43. Responding to comments, the delegation acknowledged the development assistance that the country had received from Cuba and the Bolivarian Republic of Venezuela. It referred in particular to assistance from Cuba in the area of health care. Cuba had helped the country with the construction of a hospital, loaned doctors and nurses and provided training and ophthalmic services. Both Cuba and the Bolivarian Republic of Venezuela had also been major contributors to the construction of the soon-to-be-opened international airport and had contributed to the success of the country's education revolution.

44. With respect to same-sex relationships, the delegation indicated that provisions on the matter had existed for a long time and that the precepts underlying them had overwhelming public support in the country's Christian society espousing Judaeo-Christian values in the Caribbean context. The delegation acknowledged, however, that changes in those values were occurring, particularly among sections of young people, largely as a consequence of influences from outside. The matter was therefore always under review. However, all national sensitivities must be appreciated within the context of the existing value system. It was important to note that there had been no imprisonments in that regard. To conclude, there was currently no public or legislative appetite to revise any of the laws that prohibited sexual activities between consenting adults.

45. Referring to comments made by one delegation on the need to implement legislation to protect lesbian, gay, bisexual, transgender and intersex persons against violence, the delegation reiterated that every citizen in Saint Vincent and the Grenadines was afforded protection against violence, which was ensured under the Constitution and existing criminal laws.

46. With respect to the death penalty and the moratorium on the death penalty that had been recommended, the delegation indicated that it would be hard to support a moratorium currently. The Constitution enshrined the constitutionality and legitimacy of the death penalty within the Vincentian context. It was a sentence whose legality had been affirmed, reaffirmed and recognized by countless appellate courts over the years, up to and including the British Judicial Committee of the Privy Council. It was supported by the overwhelming majority of citizens, as evidenced by opinion polls, public consultations and the statements of the governing and opposition political parties. The sentence was limited to the most

serious crimes committed in the country and, even then, was rarely carried out. It was nonetheless a valid component of the country's body of laws, as enshrined in the Penal Code and upheld in the Constitution. The delegation also noted that the common law had shaped the current state of the death penalty in the country. The Privy Council had said that if someone was awaiting the death penalty for more than five years, their sentence must be commuted to life imprisonment. It was almost impossible to complete all appeals to the highest courts, including international bodies, within five years. As such, persons sentenced to death were essentially, in practical terms, being given life sentences. Additionally, the Court of Appeal in the Eastern Caribbean Supreme Court and the Judicial Committee of the Privy Council, the final Court of Appeal, affirmed that the death penalty could only be invoked in cases that could be described as the worst of the worst. The delegation also noted that, since 1993, no one had been put to death.

47. Regarding comments made on the amendments to the Rome Statute of the International Criminal Court on the crime of aggression and delays in meeting reporting obligations, the delegation noted that, unfortunately, capacity was a major issue for a small country. Recognizing the dire need to increase its legislative output, the Government had recently funded two students to complete legislative drafting training at the masters level. It was hoped that the increased capacity would help Saint Vincent and the Grenadines in ratifying international agreements with greater speed. Saint Vincent and the Grenadines had nonetheless ensured that the human rights commitments contained in the various international treaties were implemented in a practical way.

48. With regard to corporal punishment, the delegation referred to information contained in paragraph 38 of its national report. Saint Vincent and the Grenadines had taken steps to reduce the rigidity by which corporal punishment was administered in the school system through the revised Education Act of 2009, whereby only a principal or head teacher could administer punishment to a student. An amendment was also proposed in the drafted Child Justice Bill, which addressed alternative forms of punishment and rewards using restorative practices and diversion for juveniles in conflict with the law.

49. Indonesia welcomed progress made since the first review. It noted that, despite the financial challenges, Saint Vincent and the Grenadines continued to take measures to advance social security, education and health-care standards.

50. Italy commended Saint Vincent and the Grenadines for its commitment to protecting the rights of women and children, including the adoption of the Children Care and Adoption Act and the Domestic Violence Act.

51. Jamaica asked about the delegation's views on a concern raised by the Special Rapporteur in the field of cultural rights that textbooks developed at the Caribbean level, continued to have a "European perspective" and did not sufficiently reflect the specific history of Saint Vincent and the Grenadines.

52. Malaysia noted the commitment of Saint Vincent and the Grenadines to improve the human rights situation, and the constraints and challenges that the country had been facing.

53. Maldives welcomed the country's efforts to implement the recommendations from the first review, despite challenges as a small island developing State. It urged the country to continue seeking technical support from the United Nations and the international community.

54. Mexico welcomed the adoption of the Domestic Violence Act and a plan of action to end gender-based violence. It further welcomed efforts to mainstream gender in various areas and the establishment of a national committee for the protection of children.

55. Montenegro highlighted achievements in reducing hunger and undernourishment. It asked about actions taken to establish rehabilitation programmes and support services for victims of human trafficking, as well prosecution and punishment of offenders.

56. Morocco noted with satisfaction the accession by Saint Vincent and the Grenadines to international human rights treaties during the past six years. It welcomed the country's efforts to protect the rights of children and combat domestic violence.

57. Namibia welcomed the adoption of the Domestic Violence Act and the national action plan to address gender-based violence. It was pleased to note that the death sentence had last been carried out in Saint Vincent and the Grenadines in 1993.

58. The Netherlands welcomed efforts by Saint Vincent and the Grenadines to advance women's rights and the rights of the child. It indicated however, that, as noted by the Committee on the Elimination of Discrimination against Women, there was room for improvement in the protection of rights in same-sex relationships.

59. Nicaragua welcomed improvements in the legal and institutional framework and the implementation of policies and programmes aimed at improving the human rights of women and children.

60. Pakistan believed that the Status of Children Act, the national action plan to end gender-based violence and the Domestic Violence Act would further contribute to the protection and promotion of rights of children and women.

61. Panama recognized the efforts by Saint Vincent and the Grenadines and its commitment to promote, protect and respect fundamental human rights. It valued the work to harmonize national legislation in specific areas.

62. The Philippines acknowledged progress and noted challenges and constraints being faced by the country as a small island developing State particularly vulnerable to various global economic shocks. It called on the international community to extend assistance to the country.

63. Portugal commended Saint Vincent and the Grenadines for achieving universal access to primary and secondary education. It took note with appreciation of the fact that since 1995 Saint Vincent and the Grenadines had applied a de facto moratorium on the death penalty.

64. Sierra Leone highlighted the establishment of a poverty reduction strategy and the Domestic Violence Act. It encouraged Saint Vincent and the Grenadines to strengthen its regional collaboration in combating trafficking in persons, expedite juvenile justice legal reforms and maintain its de facto moratorium on the death penalty.

65. Slovenia welcomed information on social security measures to assist those in need, particularly the Home Help for the Elderly Programme. It further commended Saint Vincent and the Grenadines for its achievements in realizing the right to food and the right to education.

66. South Africa commended Saint Vincent and the Grenadines for its commitment to the promotion and protection of human rights, in particular for the adoption of the Domestic Violence Act, as well as the implementation of human rights education campaigns, including a reproductive rights awareness campaign.

67. Spain congratulated Saint Vincent and the Grenadines for the creation of the national committee for children's rights, the adoption of the Domestic Violence Act and the signature and ratification of a number of international human rights instruments, such as the Convention on the Rights of Persons with Disabilities.

68. Trinidad and Tobago welcomed measures to submit outstanding reports in connection with human rights obligations and applauded the engagement in the work of the Council through the participation and support from the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council.

69. The United Kingdom of Great Britain and Northern Ireland welcomed the adoption of the Domestic Violence Act and efforts in addressing child abuse. It encouraged the country to develop an effective response to juvenile offending, in order to ensure that its laws, policies and practices were in compliance with its obligations under the Convention on the Rights of the Child.

70. The United States of America commended the progress made by Saint Vincent and the Grenadines in addressing prison conditions. It remained concerned about reports of discrimination and violence against women and lesbian, gay, bisexual, transgender and intersex persons and about reported use of excessive force by police and sex trafficking, including forced prostitution of women and prostitution of impoverished children by their family members.

71. Uruguay inquired about the possibility of designing a strategy for the elimination of stereotypes and patriarchal attitudes that discriminated against women. It expressed concern that corporal punishment of children remained legal in all environments. It asked about planned steps to align legislation with the recommendations made by the Committee on the Rights of the Child.

72. The delegation of Saint Vincent and the Grenadines thanked again all States that had submitted questions in advance, as well as for the valuable contributions made during its second review. It noted that the constructive comments and kind support would be useful in their common quest towards further promoting and protection of human rights for all in the country.

73. The delegation thanked the members of the troika for their support throughout the entire review process and OHCHR for producing the various compilations that guided the review.

74. It acknowledged that there were still some gaps that required additional attention. Since the previous review, it had progressively sought to improve human rights by strengthening its national and legislative legal framework in an all-inclusive approach.

75. Referring to comments made by one delegation to introduce legislation promoting gender equality in employment, the delegation reported that efforts were ongoing. Reference was made to the Equal Pay Act, which required equal pay for equal work performed by men and women. The Protection of Employment Act further stipulated that an employer could not dismiss an employee based on sex, marital status, pregnancy or maternity leave. Saint Vincent and the Grenadines planned to introduce social protection legislation to remove all social status barriers and stigmas from individuals based on their socioeconomic conditions or status. The delegation also referred to the legislation and policy framework for child justice.

76. The delegation noted that Saint Vincent and the Grenadines would closely consult civil society and other stakeholders in the follow-up, as it had done in preparing for the review.

77. Responding to a question from Jamaica on a concern raised by the Special Rapporteur in the field of cultural rights, the delegation agreed that there were not enough textbooks reflecting the specific history of the country. It noted that, as a member of the Caribbean Community, several textbooks developed in the Caribbean, with a broad focus on the history of the Commonwealth Caribbean, were utilized in the schools. It noted,

however, that it was hoped that, as investment into education continued, the country would publish at an even higher rate.

78. Saint Vincent and the Grenadines affirmed its commitment to the principles of equality and non-discrimination, as enshrined in its Constitution. With those fundamentals in mind, and having regard to the ever-evolving human rights norms and standards, the delegation noted that Saint Vincent and the Grenadines recommitted itself to ensuring that the human rights of the citizens were protected.

79. The country was fully committed to cooperating with the international community and the international human rights mechanisms, especially the universal periodic review process. It noted that the questions, comments and recommendations received were very valuable to it in the process of human rights self-assessment. The delegation welcomed the constructive spirit in which the recommendations were given and offered to carefully and seriously consider each of them.

II. Conclusions and/or recommendations***

80. **The recommendations formulated during the interactive dialogue/listed below will be examined by Saint Vincent and the Grenadines, which will provide responses in due time, but no later than the thirty-third session of the Human Rights Council in September 2016:**

80.1 **Ratify all international instruments concerning human rights (Congo);**

80.2 **Consider ratifying international human rights treaties that it is not yet a State party to (Philippines);**

80.3 **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

80.4 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Italy);**

80.5 **Accede to or ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, which promotes international commitment in abolishing the death penalty (Honduras);**

80.6 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, as to bring legislation into conformity with the de facto situation (Netherlands);**

80.7 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro) (Uruguay);**

80.8 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the formal abolition of the death penalty in the country (Portugal);**

80.9 **Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights and abolish the death penalty in the domestic legislation (Mexico);**

*** The conclusions and recommendations have not been edited.

80.10 Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to abolish the death penalty (Namibia);

80.11 Sign and ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Spain);

80.12 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Ghana) (Portugal);

80.13 Ratify the Convention on the Elimination of All Forms of Discrimination against Women, taking into account the situation of victims of domestic violence in the country (Brazil);

80.14 Sign and ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Spain);

80.15 Advance in the ratification of the Optional Protocol to the Convention against Torture (Chile);

80.16 Ratify the Optional Protocol to the Convention against Torture (Costa Rica) (Denmark) (Ghana) (Guatemala) (Honduras) (Uruguay) (Portugal) (Italy);

80.17 Ratify the Optional Protocol to the Convention on the Rights of the Child (CRC) on a communications procedure (Uruguay) (Portugal);

80.18 Accede to the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);

80.19 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone) (Ghana);

80.20 Ratify the already signed International Convention for the Protection of All Persons from Enforced Disappearance (Spain);

80.21 Ratify ILO Convention No. 169 (Sierra Leone);

80.22 Ratify ILO Convention No. 189 (Sierra Leone);

80.23 Submit its first report to the Committee against Torture which is overdue since 2002 (Denmark);

80.24 Submit long overdue reports to the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination, the Committee against Torture and the Committee on the Rights of Persons with Disabilities (Sierra Leone);

80.25 Extend standing invitation to all special procedures mandate holders (Montenegro);

80.26 Extend an open and standing invitation to Special Rapporteurs and Representatives with a view to making progress in the fulfilment of human rights commitments made (Panama);

80.27 Consider issuing a standing invitation to the special procedures (Slovenia);

80.28 Continue to seek the needed technical assistance to enable it to meet its various human rights commitments (Sierra Leone);

80.29 Pursue its efforts to harmonize its national legislation with international human rights standards (Morocco);

80.30 Harmonize its national legislation with the Rome Statute of the International Criminal Court, including measures of cooperation with the Court and to investigate the crime of genocide, crimes against humanity and war crimes (Costa Rica);

80.31 Take appropriate steps to facilitate the adoption of legislation on gender equality (Maldives);

80.32 Adopt, without delay, a new legislation that fully incorporates the principle of equality of women and men as well as a prohibition of discrimination on the basis of gender in the public and private spheres (Germany);

80.33 Step up efforts towards the adoption of legislation fully in line with the principle of gender equality (Greece);

80.34 Consider adopting legislation that fully incorporates the principle of equality of women and men, as well as a definition and prohibition of discrimination on the basis of sex and gender in the public and private spheres (Namibia);

80.35 Amend national legislation to grant women equal rights to men, in regard to passing citizenship to their foreign spouse (Panama);

80.36 Reform the legislation on family life, especially the law on legal marriage age, which sets it at 15 years for girls and boys and which should be raised to 18 years, at a minimum (Congo);

80.37 Reform laws related to discrimination and violence against women and lesbian, gay, bisexual, transgender and intersex persons, including by repealing provisions which may be used to criminalize consensual, same-sex sexual activity between adults, and establishing a law criminalizing domestic violence (United States of America);

80.38 Enact legislation and take necessary measures to prohibit discrimination on the grounds of sexual orientation, gender identity and social status (Mexico);

80.39 Enact legislation prohibiting discrimination against lesbian, gay, bisexual, transgender and intersex persons, including removing laws criminalising consensual same sex activity (Australia);

80.40 Decriminalize homosexuality and oppose all forms of discrimination and abuse against lesbian, gay, bisexual, transgender and intersex persons (Italy);

80.41 Adopt a legislation that criminalizes specifically sexual harassment in all spheres, including in the work place (Guatemala);

80.42 Initiate a comprehensive process of legislative reform in order to guarantee equality between men and women as well as to define and prohibit discrimination on the basis of sex and gender in the public and private spheres (Honduras);

80.43 Consider taking steps to decriminalize consensual same sex relations and abolish any discriminatory legislation and practices against lesbian, gay, bisexual, transgender and intersex people (Brazil);

80.44 Decriminalize homosexual relations between consenting adults (Spain);

80.45 Abolish section 148 of the Criminal Code, which criminalizes consensual sexual practices between persons of the same sex, as a step towards decreasing discrimination of same-sex relationships (Netherlands);

80.46 Establish a national human rights institution based on the Paris Principles (Algeria);

80.47 Act to establish a national human rights institution in accordance with the Paris Principles, as per the recommendations from its 2011 universal periodic review appearance (Australia);

80.48 Advance in the establishment of a human rights institution in accordance with the Paris Principles (Chile);

80.49 Establish a human rights institution (Guatemala);

80.50 Continue its efforts to strengthen the current National Human Rights Association — established in 1986, in line with the Paris Principles (Indonesia);

80.51 Step up, with the support of OHCHR and other international partners, the activities to establish a national human rights institution in conformity with the Paris Principles (Panama);

80.52 Take the necessary measures in order to establish a National Human Rights Institution in accordance with the Paris Principles (Portugal);

80.53 Create a national human rights institution in conformity with the principles relating to the status of national human rights institutions for the promotion and protection of human rights (Paris Principles) (Uruguay);

80.54 Establish a mechanism to monitor the implementation of recommendations of international human rights mechanisms (Guatemala);

80.55 Work on setting up a national mechanism for the reporting and the follow up in the framework of the international human rights instruments (Haiti);

80.56 Accelerate the establishment of a National Mechanism for Reporting and Follow-up (Indonesia);

80.57 Develop and implement a National Action Plan for Human Rights to further ensure systematic and comprehensive approach for the promotion and protection of human rights, with the full engagement of civil society (Indonesia);

80.58 Strengthen the role and capacity to act of the Child Protection Unit with the support and assistance of the international community in order to allow it to fully fulfil its mission (Morocco);

80.59 Strengthen its commitment for implementing all its programs and policies in the social sector (Haiti);

80.60 Ensure comprehensive human rights training for teachers with a view to preventing any excessive use of force (South Africa);

80.61 Put an emphasis on the training of those responsible for the protection of the rights of women and children (Haiti);

80.62 Seek and avail itself of international technical assistance opportunities in training, data collection and analysis, to support national reporting under the international human rights instruments (Bahamas);

80.63 Enhance gender equality in the public and private sectors (Egypt);

80.64 Take concrete measures to ensure gender equality in political life, including through the establishment of a quota system for Parliament and Ministries (Algeria);

80.65 Adopt administrative and legal measures to pursue gender equality in decision-making and elected positions (Costa Rica);

80.66 Consider the implementation of initiatives aimed at identifying needs on the situation of gender related human rights, in order to acquire information to strengthen the national legislation and public policies in this area (Ecuador);

80.67 Intensify efforts to end discrimination against women and increase women participation in the Government, in decision making positions and other segments of society (Malaysia);

80.68 Continue to promote women empowerment (Pakistan);

80.69 Consider and formulate measures to address the very low representation of women in high-level positions, including in politics, as a priority (Slovenia);

80.70 Conduct nation-wide educational campaigns about gender roles and the value of women and girls (Slovenia);

80.71 Adopt legislation on gender equality that fully incorporates the principle of equality between women and men, as well as the definition and prohibition of discrimination based on sex and gender (Uruguay);

80.72 Take measures to prevent violence and discrimination against persons based on their sexual orientation and gender identity (Chile);

80.73 Consider the abolition of the death penalty in its legal system and proceed with the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Argentina);

80.74 Abolish in law the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France);

80.75 Step up efforts to abolish the death penalty (Panama);

80.76 Consider the possibility of the abolition of the death penalty in its statutes (South Africa);

80.77 Consider establishing a formal moratorium on death penalty (Slovenia);

80.78 Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);

80.79 Consider taking all necessary steps to introduce a de jure moratorium of capital executions with a view to fully abolish the death penalty (Italy);

80.80 Adopt an official moratorium aiming at the formal abolishment of the death penalty in the country (Portugal);

80.81 Implement public awareness campaigns in regard to the absence of deterrent effects of the application of the death penalty and the progressive introduction of a moratorium aiming at the abolition of the death penalty and the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);

80.82 Consider prohibiting corporal punishment of children in all settings (South Africa);

80.83 Prohibit all corporal punishment of children, including at home, at schools, and as a sentence in courts and work towards a general understanding that corporal punishment of children is not beneficial but rather detrimental to their development (Germany);

80.84 Introduce the legislative measures and policies necessary to ensure the protection and promotion of the rights of boys and girls, including explicit prohibition of corporal punishment both in public and private spheres, as previously recommended (Mexico);

80.85 Take the necessary steps to ensure the prison in Kingstown meets international minimum standards and adheres to the Mandela Rules (Australia);

80.86 Adopt measures to combat the problem of police abuse, through norms aiming at sanctioning such conduct and to prevent such abuses, strengthening the training of law enforcement officials (Spain);

80.87 Take immediate steps to bring conditions at all detention facilities, including Her Majesty's Prison and Fort Charlotte Prison, into line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (Canada);

80.88 Partner with appropriate international agencies to strengthen national capacities to collect, process, and analyse relevant human rights statistical information concerning police misconduct and prison conditions (United States of America);

80.89 Strengthen measures taken to combat human trafficking (Egypt);

80.90 Collaborate with NGOs or other victim advocates to promote a victim-centred approach in the identification of trafficking victims (United States of America);

80.91 Take measures to reduce the backlog of cases before the courts in order to ensure that justice is served promptly and efficiently and that accused persons are guaranteed due process (Canada);

80.92 Pursue efforts to reform the justice system with a view to guaranteeing access to justice to all, including through providing qualified staff (Egypt);

80.93 Undertake actions to improve the competency and capacity of its judicial sector including sensitizing judicial personnel on issues concerning vulnerable groups (Malaysia);

80.94 Establish a Juvenile Rehabilitation Centre to ensure detention separate from adults and the safety of juvenile offenders whilst in detention and to equip

them to be productive citizens on release into society (United Kingdom of Great Britain and Northern Ireland);

80.95 **Continue strengthening its successful social programs in favour of its people (Bolivarian Republic of Venezuela);**

80.96 **Undertake socio-economic development programs that focus on education, job creation and poverty eradication under the National Economic and Social Development Plan 2013-2025 (Malaysia);**

80.97 **Pursue efforts to promote the right to work with a view to combating unemployment whose rate has reached 18.8 percent (Egypt);**

80.98 **Effectively implement the Zero Hunger Challenge Initiative to reduce hunger and malnutrition (Cuba);**

80.99 **Continue to improve access to education through various programs and initiatives (Pakistan);**

80.100 **Continue and strengthen health education and family life programs, such as education on appropriate sexual and reproductive health for every age, and access to sexual and reproductive health, including contraceptive methods (Colombia);**

80.101 **Combat the high rate of teenage girls' pregnancy, which put at risk their rights to health and education (Congo);**

80.102 **Adopt measures to empower girls and boys to make conscious decisions regarding their health and well-being through mainstreaming of sexual and reproductive health education (Slovenia);**

80.103 **Design and implement measures to allow the exercise of cultural and religious life of ethnic and religious minorities, such as the Rastafari and Garifuna, without obstacles or stigmatization (Colombia);**

80.104 **Recognise the importance of Island of Balliceaux for the Garifuna people as a site of remembrance, and ensure and promote the relations of those people with the Island as noted by the Special Rapporteur on Cultural Rights (Honduras);**

80.105 **Seek assistance, as appropriate, to support ongoing efforts to preserve its tangible and intangible cultural heritage (Trinidad and Tobago);**

80.106 **Strengthen the implementation of the National Action Plan to end gender-based violence, in cooperation with civil society organizations and other interested parties, and ensure better access to health care and social services for victims, in particular rural women (Colombia);**

80.107 **Combat gender-based violence through its National Action Plan, Domestic Violence Act and anti-violence outreach programs (Malaysia);**

80.108 **Allocate sufficient technical, human and financial resources for the effective implementation of the National Action Plan on Gender-based violence (Philippines);**

80.109 **Promote public awareness and education on provisions under the new Domestic Violence Act of 2015 (Bahamas);**

80.110 **Implement comprehensive guidelines under the Domestic Violence Act to ensure a coordinated response for victims of violence by police, courts, health**

and social welfare agencies (United Kingdom of Great Britain and Northern Ireland);

80.111 Undertake a public advocacy campaign to combat gender-based violence, in consultation with all relevant stakeholders (Canada);

80.112 Implement targeted training for law enforcement officials on responding to cases of domestic violence, and ensure that all allegations are fully investigated (Canada);

80.113 Take steps to ensure the provision of adequate shelter, including staffing and durable resources, for victims of domestic violence (Canada);

80.114 Continue strengthening programs to combat domestic violence, including an awareness-raising plan (Chile);

80.115 Continue the actions taken to reduce domestic violence and violence against women in all its forms (Cuba);

80.116 Take all necessary measures to promote the rights of women and to effectively combat domestic violence (France);

80.117 Reinforce measures to combat violence against women, including legislative amendments to the Criminal Code and the Domestic Violence Act and by awareness raising campaigns (Germany);

80.118 Institute measures to prevent and effectively respond to all incidents of violence, sexual abuse, exploitation and trafficking of women and girls, as well as introduce measures to effectively investigate, prosecute and punish all perpetrators (Ghana);

80.119 Enact a comprehensive strategy in order that the rights of children are further protected and widened (Greece);

80.120 Increase efforts to keep children in schools and protect them from sexual exploitation or forced and unlawful employment (Malaysia);

80.121 Increase the minimum age of marriage which is 15 for girls and 16 for boys to an age which is in line with international standards (Algeria);

80.122 Raise the minimum age of marriage to 18 (Sierra Leone);

80.123 Increase the minimum age of employment to 16 years in line with the observations of the ILO (Honduras);

80.124 Review, adopt and implement the pending draft national policy on persons with disabilities to ensure non-discrimination in education, employment and healthcare (Maldives);

80.125 Continue developing and implementing measures that allow the inclusion of persons with disabilities (Argentina);

80.126 Try to address the intractable problem of providing education and health services to certain categories of children with disabilities, with appropriate assistance from regional and international partners (Jamaica);

80.127 Ensure that research on how the education of children with disabilities can be implemented through mainstream educational settings, is included in the planned comprehensive implementation plan for persons with disabilities. Regional and international experiences and best practices could be incorporated into such a study (Jamaica);

80.128 Promote strategies for the mitigation of climate change and disseminate those through school programs (Haiti).

81. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

United Nations A/HRC/33/6

General Assembly

Distr.: General
27 June 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 6
Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Samoa

* The annex is being circulated in the language of submission only.

GE.16-10832 (E) 110716

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fifth session from 2 to 13 May 2016. The review of Samoa was held at the third meeting, on 3 May 2016. The delegation of Samoa was headed by Lautafi Selafi Purcell, Minister of Commerce, Industry and Labour. At its 11th meeting, held on 9 May 2016, the Working Group adopted the report on Samoa.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Samoa: Congo, Ecuador and India.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Samoa:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/25/WSM/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/25/WSM/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/25/WSM/3).

4. A list of questions prepared in advance by Mexico, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Samoa through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation, Lautafi Selafi Purcell, Minister of Commerce, Industry and Labour, stated that Samoa viewed the universal periodic review as an important opportunity not only to reflect on its human rights record but also to provide responses to recommendations received at the May 2011 universal periodic review and to provide answers to the advance written questions received from member States, namely Mexico, Slovenia, Spain and the United Kingdom.

6. Samoa noted the recommendation made with regard to the establishment of the national human rights institution, which had been established in 2013 under the Ombudsman Act. Since then, the institution had been proactive and committed to national and international engagement by producing the first human rights State party report of Samoa in 2015, as well as undertaking human rights training, outreach and awareness campaigns throughout the country, using all forms of media. The national human rights institution had been conscientiously working towards its accreditation in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) by the Global Alliance of National Human Rights Institutions. Once deemed compliant, Samoa would become the first accredited national human rights institution in the Pacific Region.

7. Recommendations made with respect to women's rights, the fight against domestic violence and violence against women and children had all been supported. Samoa had

achieved a critical milestone in the legislative landscape with the passing of the Family Safety Act 2013, which provided greater protection for families and the handling of domestic violence and related matters through the use of protection orders. Additionally, the Family Court of Samoa had been established in 2014 in an effort to protect the vulnerable, mainly women, children and youth offenders. Linked to those developments was the establishment of the Drugs and Alcohol Court in 2015, which received support from gender programmes to fund officers of the court. Both the Family Court and the Drugs and Alcohol Court were presided over by female Supreme Court judges. The initial setting up of the courts had been supported through secondment of New-Zealand-based female judges to Samoa, one of whom was Samoan.

8. Another notable piece of legislation enacted was the Crimes Act 2013, which had introduced several significant changes to provisions relating to sexual offences, such as an increase in maximum penalties; a more inclusive definition of offences, including a variety of forms of unwanted sexual contact; and the criminalization of marital rape.

9. Non-legislative measures for the prevention of violence against women and children were catered for under the gender programme funded by the Government of Australia and the United Nations country team, with complementary support provided by a regional programme on gender funded by the Government of Australia. Non-governmental organizations were contracted to deliver public awareness and community conversations through traditional drama, cultural songs and dance.

10. The delegation stated that, in response to the recommendation on the improvement of the situation of women in Samoan society and political life, Samoa had ensured greater participation of women in political and public life by unanimously passing a constitutional amendment in June 2013 that introduced a 10 per cent quota for women representatives in the national Legislative Assembly. That quota was a minimum, and it did not prohibit more women from entering into political roles in future general elections. Elections in March 2016 had resulted in a woman holding the position of deputy prime minister and deputy leader of the ruling party, namely the Human Rights Protection Party, as well as a record number of women running as candidates and the largest number of women ever being elected to Parliament (five).

11. Samoa recognized that the presence of more women in Parliament could influence and bring greater sensitization to a more balanced discussion of gender issues, as well as encourage a way forward to harmonize traditional and customary practices with the law regarding women in politics and the empowerment of women in general.

12. The pre-elections programme to enhance the political awareness of the public of the potential role that women could play had served its purpose well. Never before had there been such a popular issue clearly highlighted or one that had caused such interest in the outcome of the elections. Representatives of academia, in collaboration with the Ministry of Women, Community and Social Development and non-governmental organizations, were initiating discussions with the small number of villages that still did not recognize female title-holders.

13. Samoa had also enacted the Labour and Employment Relations Act 2013, which had introduced significant changes into the employment laws of Samoa, for both employers and employees, such as new maternity and paternity leave entitlements, an increase from two months to three months of paid leave and the introduction of new fundamental employment rights, including a ban on forced labour and equal pay for equal work. The Government would soon be launching the Samoa national employment policy, which provided a framework for employment under three pillars: labour supply, labour demand and policy framework. That would ensure equal opportunity employment for all, including women and youth. The youth employment programme supported by the United Nations country team,

as well as other development partners, focused on establishing an incubator with appropriate technical assistance and support to encourage micro- and small-scale enterprises by youth and women. Government support was also provided to the Women in Business organization, which gave women and their usually low-income families the chance to earn money through small agribusinesses under the farm-to-table initiative. The programme complemented national initiatives to promote import substitution, as well as the use of value chains to encourage more efficient production and consumption and enhance the economic empowerment of women.

14. The delegation indicated that such good practices by the Women in Business organization had also attracted financial support under the Enhanced Integrated Framework of the World Trade Organization to build a storage and processing warehouse to add value to products for niche export markets.

15. Similarly, the Small Business Enterprise Centre provided equal access for women and men under the small business loan guarantee scheme, providing securities for business loans from commercial banks. The Government continued to back financial deposits with the banks to cover the scheme. More than 2,000 small businesses with just over 50 per cent ownership by women had access to finance for their businesses under the scheme.

16. A privately run successful microcredit scheme continued to build on its female clientele to the extent that commercial banks had opened their doors for such businesswomen by providing them with larger loans.

17. In addition, the Samoa Development Bank administered a microfinance scheme targeting women's community groups on economic development activities. There were no restrictions on women accessing finance in Samoa from any bank or financial institution.

18. The Government had passed the Personal Property Securities Act 2013, which facilitated access to finance and transactions for businesses. The law also recognized the right of both men and women to own property and use such personal assets for business transactions.

19. The education of the children of Samoa was key to the development of the nation as a whole; that had been emphasized in the Education Act 2009, which focused on the importance of compulsory education for the 5- to 14-year-old cohort. Samoa supported the recommendation made regarding access to education to ensure that there was universal primary school education under the school fees scheme, initially supported by the Governments of Australia and New Zealand, but now fully funded by the Government of Samoa. Similarly, a school fee-paying scheme was provided at the secondary level, but only for years 9-11 to encourage higher retention rates from the primary to the secondary level. Greater attention was being paid to the emerging discrepancies whereby there were more girls than boys enrolling at all levels of education and males were performing less well than females.

20. The school fee paying schemes had contributed significantly to achieving Millennium Development Goal 2 on universal primary education. The enforcement of the Compulsory Education Act, along with anecdotal evidence, suggested that street vendors emerged only after school hours. Enforcement of the Child Labour Act was the issue to be tackled.

21. Samoa was fully dedicated to an inclusive education system which supported the integration of children with special needs into mainstream schools. The Inclusive Education Programme was carried out in partnership with the Government of Australia, and involved public, private and mission schools. The Government had identified private institutions that could provide service delivery for children with disabilities, such as SENESE Inclusive Education Support Services, Loto Taumafai and Aoga Fiamalamalama.

22. Significant reforms had also been made to tackle corporal punishment in schools; the Education Act 2007 prohibited corporal punishment in schools. The Childcare Protection Bill, which incorporated the Convention on the Rights of the Child in domestic law, would encompass the protection of children from violence and set out standards for approved carers. Samoa continued to conduct awareness-raising campaigns to ensure that alternative forms of discipline were administered in a manner consistent with the child's human dignity and in conformity with the Convention, in particular article 28 (2). Some of the development partners of Samoa had also institutionalized child protection policies in the sectors in which they were engaged and that they had funded under their development cooperation programmes.

23. The delegation stated that Samoa to date had sought and received support for capacity-building from the Secretariat of the Pacific Community, projects funded by development partners, the European Union, the United Nations Development Programme and the United Nations Children's Fund. Samoa would continue to seek assistance from United Nations agencies towards the implementation and fulfilment of its human rights obligations. In the designing and planning of national programmes that were co-funded by the development partners of Samoa, a rights-based approach was used so that there was meaningful engagement with all stakeholders and the appropriate safeguards measures were in place.

24. On disability, the Government had taken the necessary steps to ensure that legislative compliance reviews were undertaken and cost implementation assessments were in place for Samoa to harmonize its human rights legislation with international standards. The disability task force established by cabinet directive worked closely with Nuanua o le Alofa, the focal point of contact for people with disabilities, in partnership with other non-governmental organizations promoting inclusive participation for people with disabilities at all levels.

25. The Australia-Samoa partnership invested in two major programmes for people with disabilities, the Disability Programme and the Inclusive Education Programme. The Disability Programme was designed to assist the Government of Samoa in moving towards ratification of the Convention on the Rights of Persons with Disabilities, now planned to be done by December 2016.

26. On legislative review and policy measures, the Government was committed to ensuring that the treaties already ratified, particularly the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the Convention on the Rights of Persons with Disabilities once it was ratified, were incorporated in national laws and implementation plans. To that end, Samoa was working with relevant government agencies and offices to ensure that the principles contained in ratified treaties were incorporated in national laws and programmes for implementation.

27. With regard to justice and law reforms, one of the key goals of the public administration sector plan for the period 2014-2018 was working towards establishment of an independent anti-corruption commission. The sector intended to seek technical assistance from the development partners of Samoa for the design and structure of the commission.

28. Currently, there was an anti-corruption partnership between the National Prosecution Office, the Chief Auditor and Controller and the police. A freedom of information act must be based on national policy direction. Despite the absence of such an act, there was freedom to access and disseminate information and there was freedom of expression.

29. The implementation of the law and justice sector plan had seen the separation of the Ministry of Police and the Correctional Services. The upgrading of prison facilities included relocation to a bigger site and the construction of new infrastructure, to be funded from the national budget. The proposed new infrastructure included the provision of rehabilitative programmes for inmates so that reintegration into communities was facilitated. That included appropriate health and counselling facilities.

30. Under the law and justice sector reforms, the Government had also looked into the rehabilitation of deported returnees. The Office of the Attorney General, under the auspices of the law and justice sector, had collaborated to set up the first charitable trust in the Pacific for returnees. The main goal of the Samoa Returnees Charitable Trust Integration Assistance Programme was to provide resettlement services, family reunification links and temporary accommodation to ensure a strategic intervention with regard to the growing number of returnees and a potentially increase in antisocial behaviour.

31. Establishing a mechanism to support deportees through the period of their arrival and resettlement in Samoa would help, both from a security perspective in preventing the development of a cultural underclass linked to transnational criminal organizations and involved in criminal activity, and from a human rights perspective, enabling the deportees to become responsible, contributing members of the Samoan community. The initiative was establishing vocational networks to allow returnees to prove to the community that they were law-abiding citizens and deserved a second chance. The successful implementation and sustainability of the programme was premised on the support of traditional social structures, including extended families and faith-based organizations.

32. The delegation stated that some important changes had emerged from the health sector: maternity leave was now up to 6 months, and paid leave had been extended from 8 to 12 weeks, with 5 days of parental leave.

33. Abortion was illegal and could only be performed on medical grounds if there was the life of the pregnant woman was in danger.

34. The focus of the United Nations Population Fund in Samoa was on strengthening national capacity to deliver family planning and reproductive health services, as well as sexual and reproductive health services for young people. Implementation was focused on setting up strategically located youth health centres, where young people would have access to such services with privacy guaranteed. A growing group of youth peer educators had been trained to lead peer learning in sexual and reproductive health services within faith-based youth organizations, with support from the ministries of community development health and education.

35. The Government remained committed to ensuring that it ratified all core human rights conventions to safeguard citizens and their rights, and therefore had accepted the recommendations in that regard.

36. Samoa would be the first Pacific island country to ratify the three Optional Protocols to the Convention on the Rights of the Child. It had submitted the instruments of ratification for all three Optional Protocols: (a) on the involvement of children in armed conflict; (b) on the sale of children, child prostitution and child pornography; and (c) on a communications procedure. That showed the strong commitment of Samoa to the protection of children from harmful practices that might affect their rights and freedoms.

37. Samoa was working towards the ratification of the Convention on the Rights of Persons with Disabilities, as disability rights was one of the biggest human rights issues. Samoa would continue to work with international and regional partners on the development of specific stand-alone disability legislation to support the full implementation of the

Convention. Following that, Samoa would then ratify the Convention on the Rights of Persons with Disabilities by December 2016.

38. Samoa looked forward to the establishment of a national monitoring review framework, to be housed in the Ministry of Foreign Affairs and Trade, to efficiently monitor and evaluate all human rights reporting so that human rights reporting with obligations would go through a consultative process in a timely manner.

39. On behalf of the Government of Samoa, the Minister thanked all the delegations that had provided comments to the universal periodic review of Samoa, and the troika comprised of Congo, Ecuador and India, for the guidance provided. Samoa welcomed technical and financial assistance provided by the international community to implement its human rights commitments, and was determined to continue to work to comply with its international human rights obligations and to pursue its close cooperation with all stakeholders to meet those commitments.

B. Interactive dialogue and responses by the State under review

40. During the interactive dialogue, 48 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

41. Fiji commended the important transition of the Office of the Ombudsman under the 2013 Act into the national human rights institution of Samoa in accordance with the Paris Principles. Fiji noted the adoption of a 2013 act designed to deal effectively with domestic violence.

42. The Republic of Korea welcomed the establishment of the national human rights institution, the opening of the Community Law Centre and the enactment of the Family Safety Act. It remained concerned about women's and gender equality issues and public awareness-raising regarding persons with disabilities.

43. Georgia appreciated laws enacted since the first review, including the Crimes Act, the Family Safety Act, the Community Law Centre Act and the Prisons and Corrections Act. Georgia commended Samoa for establishing the national human rights commission within the existing Office of the Ombudsman.

44. Germany urged Samoa to consider the ratification of the main human rights conventions. While appreciating the guaranteed free schooling for all primary and secondary education students, Germany continued to be worried about the reported widespread violation of children's rights.

45. Ghana appreciated increased human rights awareness-raising programmes by the Ministry of Women, Community and Social Development and the police. Ghana welcomed the legislative reforms taken to comply with the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

46. Guatemala noted steps taken to promote human rights. It noted positively the creation of the Office of the Ombudsman to monitor, promote and protect the fundamental rights of all persons.

47. Haiti thanked Samoa for its comprehensive report, noting progress achieved in the field of child rights and persons with disabilities.

48. Costa Rica applauded the 2013 Ombudsman Act extending the mandate of the Ombudsman and creating the national human rights institution. Costa Rica welcomed the establishment of quota for female members of Parliament and the election of a woman to the position of Deputy Prime Minister.

49. Indonesia appreciated efforts made by Samoa on legal and social reform, as recommended in the first cycle. It encouraged Samoa to further promote a strengthened independent national human rights institution. Indonesia encouraged the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

50. Ireland commended positive developments since the first review. Ireland urged that additional attention be paid to children's rights, and it echoed the concerns of the International Labour Organization at the persistence of child labour, including child street vendors.

51. The delegation of Samoa pointed out that the Government had been working on the ratification of a number of international instruments. In reply to questions on specific issues, Samoa indicated that the Constitution already included provisions against torture and mistreatment of persons in custody. Concerning the adverse effects of climate change, Samoa had recently been a signatory to the Paris Agreement on climate change, which paved the way for future global action. Immediately after signing, Samoa had deposited its instrument of ratification. The recommendation of the first cycle on the establishment of a sex-offender registry had been implemented and the relevant instrument was now before the Parliament for adoption. Authorities and institutions had recently been involved in a weeklong training session on sex offences.

52. Samoa was not procrastinating on the ratification of international treaties; it would examine all human rights conventions for possible ratification, but it would first make sure that an adequate legal framework for their implementation was in place. That exercise, which was absolutely essential, would take time.

53. Italy welcomed progress on women's rights with the adoption of the Family Safety Act, the creation of a specialist family violence court and the introduction of the crime of marital rape. Italy commended Samoa for results achieved in the field of compulsory education.

54. Jamaica noted robust human rights awareness-raising programmes and the strong commitment to governance, which emphasized the Samoan way of life. Jamaica encouraged Samoa to continue engaging religious leaders to play a more active role in promoting women's rights and reducing domestic violence.

55. Malaysia noted efforts taken to increase school enrolment among children with disabilities or those in vulnerable socioeconomic situations. Malaysia noted that further efforts could be undertaken to counter discrimination against women, eliminate violence against children and promote the rights of persons with disabilities.

56. Maldives welcomed the progress made, notably the constitutional amendment introducing a 10 per cent quota reserving five seats for women in Parliament. Maldives encouraged Samoa to continue reaching out to international partners, including OHCHR, to further strengthen efforts to promote and protect human rights in Samoa.

57. Mexico highlighted the creation of the Office of the Ombudsman. It noted efforts made by Samoa to promote the rights of women, as reflected in the Labour and Employment Relations Act 2013, and urged the Government to take the measures necessary to ensure its effective implementation.

58. Morocco appreciated the consultative approach to preparing the national report. It welcomed efforts towards harmonizing national legislation with international norms, such as the adoption of the Samoa national development strategy; the creation and design of 15 sectoral plans covering such matters as agriculture, education, communication, health and public administration; and the law and justice sector plan for the period 2012-2016.

59. Namibia commended Samoa for reforms of enabling legislation, including the national Constitution, which had created the mandate of the Office of the Ombudsman. It noted the "My rights friendly school programme", which included a mock universal periodic review competition and asked for information regarding that programme.

60. The Netherlands noted progress made by Samoa in promoting human rights within its legislative and policy frameworks. It expressed concern about discrimination on the ground of gender identity. The Netherlands encouraged Samoa to engage more widely with the United Nations human rights system.

61. New Zealand commended Samoa on progress made in increasing participation by women in Parliament and government leadership positions. New Zealand noted that further work was required in the area of lesbian, gay, bisexual and transgender rights.

62. Pakistan expressed appreciation for efforts on gender equality, economic empowerment and access to justice. It noted legislative reforms to achieve compliance with the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, and measures to establish and improve national human rights institutions. It commended action to implement recommendations related to education and climate change.

63. Regarding the death penalty, the delegation of Samoa stated that it had been abolished in 2004. On ownership of land, Samoa clarified that any woman in the country could own and co-share land and other property, though in a few villages where women were not recognized as main title-holders that right was not duly recognized. Samoa emphasized that much work had been done to increase awareness of human rights among the population, bearing in mind that certain issues, such as discriminatory practices on sexual matters, were especially difficult to face, as they involved cultural and religious sensitivities. Samoa also indicated that in July 2016 it would be among the first 22 countries to provide a voluntary report on the implementation of the Sustainable Development Goals.

64. The instruments of ratification for the Optional Protocols to the Convention on the Rights of the Child had been deposited and registered with the United Nations on 29 April 2016. Due note was taken of delegations' comments on two important issues: water sanitation and mental health.

65. The Philippines recognized the reforms undertaken since the first review of Samoa. The Philippines called on the international community to extend financial and technical resources to Samoa in addressing concerns about high levels of non-communicable diseases and health issues induced by climate change.

66. Portugal welcomed the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the adoption of the Constitutional Amendment Act requiring a 10 per cent quota for women parliamentarians. Portugal also welcomed the standing invitation extended to the Council's special procedures, and the adoption of the Family Safety Act in 2013, which provided for an extensive definition of domestic violence.

67. France welcomed the establishment of the national human rights institution and encouraged Samoa to continue efforts to combat discrimination against women.

68. Sierra Leone welcomed the signing of the Convention on the Rights of Persons with Disabilities and the adaptation of various facilities for persons with impaired vision. Sierra Leone encouraged Samoa to continue seeking technical assistance to mitigate the impact of climate change, and to ensure that women's access to land for economic empowerment was guaranteed.

69. Slovenia noted remaining challenges, such as the prevalence of stereotypical portrayals of women, and sexual violence against women and girls. It also noted that same-sex relations between consenting adults continued to be criminalized.

70. Spain noted the creation of a national human rights institution, progress on the rights of women, and the review of criminal law to punish rape both outside and within marriage. It appreciated action taken regarding the right to drinking water and sanitation.

71. Timor-Leste noted with appreciation the constitutional amendment introducing a quota for women representatives in the Legislative Assembly, as well as the broadening of the Ombudsman's functions. It commended Samoa for the establishment of a family court and for enacting the new Crimes Act 2013 outlining penalties for sexual offences.

72. Turkey welcomed the progress achieved by Samoa in the areas of combating discrimination against women and ensuring equality between men and women, noting the introduction in the Constitution of a quota of 10 per cent for women representatives in the Legislative Assembly. It commended the recent adoption of a law protecting women and children from domestic violence.

73. Ukraine commended the achievements of Samoa since the first review, particularly the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. Ukraine encouraged Samoa to take further measures to continue improving human rights, including in the spheres of women's and children's rights, health, criminal justice and freedom of religion.

74. The United Kingdom commended action to support the victims of family violence through enactment of the Crimes Act and the establishment of the Alcohol and Drugs Court. It called on the whole of the Government of Samoa to take greater ownership of strengthening the protection of women and children from domestic violence.

75. Samoa pointed out that a working group on child labour had been established in 2015 and that the new national sustainable development strategy would come into effect on 1 July 2016. The general theme of that strategy was an acceleration of sustainable development and the creation of opportunities for all. It was against that framework that the human rights commitments of Samoa would be implemented.

76. The United States of America commended Samoa for successfully holding free and fair parliamentary elections, and was encouraged by progress made in increasing women's participation in the political process. It expressed concern that domestic violence against women persisted, prison conditions were poor and laws regarding hazardous work conditions for children were too vague.

77. Uruguay welcomed measures adopted to protect women and children. It also welcomed participation by rural communities in the fight against violence in the villages where campaigns to eradicate gender-based violence had been carried out. It noted the intention of Samoa to review its legislation so as to incorporate the Convention on the Rights of Persons with Disabilities.

78. The Bolivarian Republic of Venezuela noted that Samoa was carrying out important legislative reforms to bring its domestic laws into compliance with its international human rights obligations. It noted the constitutional reform of 2013, which had established a 10 per cent quota for women representatives in the Legislative Assembly. It also noted that, despite the lack of resources, inclusive education had continued to be a priority.

79. Algeria noted that Samoa had strengthened its domestic legal framework to reduce gender inequality and to combat violence against children and torture. Algeria noted that, despite its lack of resources, Samoa had made commendable efforts in such areas as children's education, the care of persons with disabilities, and health.

80. Argentina noted that, since the previous universal periodic review cycle, Samoa had adopted legislative and other measures to follow up on the recommendations it had received. It urged Samoa to continue progress in the promotion and protection of human rights.

81. Armenia noted the Inclusive Education Policy 2014 and appreciated its focus on improving educational opportunities for young children and children with disabilities. It also welcomed the adoption of the Family Safety Act 2013, which provided protection for women and children from domestic violence, and encouraged Samoa to step up efforts in that regard.

82. Australia commended the implementation by Samoa of its 2013 legislation to ensure that 10 per cent of the members of the national Parliament were women. It acknowledged efforts made by Samoa to address violence against women and girls, including the passing of the Family Safety Act 2013.

83. Brazil noted with appreciation efforts carried out by Samoa since 2011 to improve the human rights situation in the country. It acknowledged steps taken by Samoa to eliminate the worst forms of child labour by reviewing its labour legislation. It welcomed the publication by the Office of the Ombudsman of its first report and the signature by Samoa of the Convention on the Rights of Persons with Disabilities in 2014.

84. Cabo Verde welcomed the establishment of the national human rights institution within the Office of the Ombudsman, achievements relating to the Millennium Development Goals, policies in favour of women and children's education, and a new criminal law on sex crimes.

85. Canada welcomed the introduction of legislative provisions in 2013 requiring Parliament to have at least five female representatives, and noted with satisfaction the unprecedented election of five women members of Parliament in the 2016 general elections, which had included the election of the first female Deputy Prime Minister of Samoa.

86. Chile valued efforts to improve the quality of life of persons with disabilities and welcomed the decision of Samoa to ratify the Convention on the Rights of Persons with Disabilities. Chile stressed the adoption of a law banning corporal punishment of children in the school environment, and the reform of domestic legislation with a view at harmonizing it with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women.

87. China noted with appreciation the application of strategies stimulating sustainable development, and the promotion by Samoa of the rights of women and children, education and health. China commended the cooperation of Samoa with OHCHR, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and other development partners, and called on the international community to provide Samoa with technical cooperation.

88. Honduras welcomed efforts made by Samoa to implement the recommendations it had received during its first universal periodic review. It commended Samoa for ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and for signing the Convention on the Rights of Persons with Disabilities, and expressed the hope that the latter would soon be ratified.

89. Cuba noted the adoption of a number of laws which had contributed to the improvement of the juridical framework for the promotion and protection of human rights. Major progress had been achieved in the field of children's rights, especially with regard to children with disabilities, gender equality and women's representation in the political arena.

90. Cyprus welcomed the enactment of the 2013 Ombudsman Act expanding the Office of the Ombudsman as the national human rights institution of Samoa, as well as the passing of the 2013 Family Safety Act and the constitutional amendment establishing a 10 per cent quota for women representatives in the legislative assembly.

91. Denmark was pleased to note that Samoa, during its first universal periodic review, had accepted recommendations for the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and hoped that Samoa was taking steps to join the 159 States parties to the Convention. In that regard, Denmark highlighted that the Convention against Torture Initiative stood ready to explore avenues to assist the Government of Samoa in advancing towards ratification.

92. Egypt commended the progress achieved by Samoa in the areas of rights of children, women, political participation, education and health. Egypt acknowledged the commitment of the Government to, inter alia, the adoption of the national development strategy and the reproductive health policy. Egypt was encouraged by the establishment of a special investigation unit to monitor and investigate human rights complaints.

93. Montenegro asked Samoa to further elaborate on activities undertaken to support the work of the Ombudsman while ensuring adequate resources for it to effectively carry out its mandate. Montenegro noted efforts made to ratify the Convention on the Rights of Persons with Disabilities and asked the delegation to provide further information on the current stage of the ratification process.

94. The delegation of Samoa expressed sincere thanks to all countries participating in the interactive dialogue and assured them that all recommendations would be examined seriously.

II. Conclusions and/or recommendations**

95. **The following recommendations enjoy the support of Samoa, which considers that they are already implemented or in the process of implementation:**

95.1 **Ratify the Convention on the Rights of Persons with Disabilities (Georgia) (Italy) (Portugal) (Ukraine) (Guatemala);**

95.2 **Consider ratifying the Convention on the Rights of Persons with Disabilities (Pakistan) (Republic of Korea);**

95.3 **Ratify and implement the Convention on the Rights of Persons with Disabilities (New Zealand);**

95.4 **Ratify the Convention on the Rights of Persons with Disabilities and, in so doing, ensure adequate education for children with mental and physical disabilities (United Kingdom of Great Britain and Northern Ireland);**

95.5 **Ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol (Uruguay);**

95.6 **Complete ratification of the Convention on the Rights of Persons with Disabilities (Turkey);**

95.7 **Continue developing its successful programmes for the implementation of the Convention on the Rights of Persons with Disabilities (Bolivarian Republic of Venezuela);**

** The conclusions and recommendations have not been edited.

95.8 **Deepen actions and measures intended to accede to the Convention on the Rights of Persons with Disabilities and guarantee the full exercise of human rights of persons with disabilities (Argentina);**

95.9 **Ratify the Convention on the Rights of Persons with Disabilities to ensure the rights of people with disabilities are safeguarded (Australia);**

95.10 **Continue with ongoing efforts to ratify the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance, in line with recommendations it accepted during its first review in 2011 (Ghana);**

95.11 **Ratify the three optional protocols to the Convention on the Rights of the Child: the Optional Protocol on the sale of children, child prostitution and child pornography; the Optional Protocol on the involvement of children in armed conflict; and the Optional Protocol on a communications procedure (France);**

95.12 **Sign the Optional Protocols to the Convention on the Rights of the Child (Republic of Korea);**

95.13 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Uruguay) (Guatemala);**

95.14 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Germany);**

95.15 **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Costa Rica);**

95.16 **Adopt the necessary measures in the legislative sphere as well as policy measures and allocation of resources to incorporate and effectively implement the Convention on the Elimination of All Forms of Discrimination against Women in its domestic law (Honduras);**

95.17 **Further promote gender equality by implementing the Convention on the Elimination of All Forms of Discrimination against Women in terms of access to employment (Cyprus);**

95.18 **Take positive steps to implement the Family Safety Act among law enforcement agencies (Fiji);**

95.19 **Amend the Family Safety Act to provide anonymity and protection for those who make complaints of family violence under the Act (Fiji);**

95.20 **Enforce the 2013 Family Safety Act, especially ensuring the full prohibition of sexual harassment and spousal rape (United States of America);**

95.21 **Harmonize national laws with the international regulations on the rights of women and children (Ukraine);**

95.22 **Increase efforts in the process of reconciling internal legislation with Convention on the Elimination of All Forms of Discrimination against Women norms through the inclusion of a specific definition of discrimination against women, consistent with article 1 of the Convention (Chile);**

95.23 **Further enhance national policies to promote the rights of women and children (Georgia);**

95.24 **Continue supporting the work of the National Human Rights Institution, in line with the Paris Principles and in collaboration with civil society and other relevant stakeholders, to raise awareness on human rights and conduct more human rights activities in Samoa (Indonesia);**

95.25 **Allocate adequate human and material resources to the national human rights commission (Spain);**

95.26 **Consider establishing an independent national human rights institution in accordance with the Paris Principles (Timor-Leste);**

95.27 **Establish an independent national human rights institution in accordance with the Paris Principles (Turkey);**

95.28. **Redouble efforts to strengthen its national human rights institution, in accordance with the Paris Principles (Honduras);**

95.29 **Continue to expand human rights awareness as being complementary to the Samoan way of life (Jamaica);**

95.30 **Enhance efforts to provide human rights training for law enforcement agencies (Malaysia);**

95.31 **Conduct public awareness campaigns and education programmes on human rights issues, targeting all sectors of the population (Sierra Leone);**

95.32 **Step up activities to increase participation of women in public life and decision-making (Turkey);**

95.33 **Continue to consolidate its human rights policies, particularly in the sphere of economic, social and cultural rights, in order to continue enhancing the quality of life of its people, especially the most vulnerable sectors of the population (Bolivarian Republic of Venezuela);**

95.34 **Pursue the recommendations outlined in the 2015 State of Human Rights Report, particularly those relating to women, children, people with disabilities and prisoners (Australia);**

95.35 **Continue applying measures to improve the rights of persons with disabilities, in particular through the implementation of the policy on disability 2016-2020 (Cuba);**

95.36 **Establish an interministerial committee responsible for the implementation of its international obligations, inter alia, for coordinating the drafting of the national reports to the treaty bodies and for organizing country visits by the Council's special procedures (Portugal);**

95.37 **Submit its overdue reports to the Human Rights Committee and the Committee on Enforced Disappearances (Sierra Leone) (Ukraine);**

95.38 **Enhance cooperation with the special procedures by encouraging visits by the working groups and special rapporteurs (Turkey);**

95.39 **Take the necessary measures to remove difficulties facing persons with disabilities, including improving access to public spaces and services and empowering children and women with disabilities to exercise their rights (Republic of Korea);**

95.40 **Exert concrete efforts to eliminate all forms of discrimination and violence against women (Republic of Korea);**

95.41 **Continue efforts in promoting women's rights (Morocco);**

95.42 **Strengthen efforts to eliminate patriarchal attitudes and stereotypes that discriminate against women, including through a comprehensive public awareness programme (Slovenia);**

95.43 **Put in place a comprehensive strategy to eliminate patriarchal attitudes and stereotypes that discriminate against women (Namibia);**

95.44 **Review and reform all policies, laws and practices that restrict women's rights to equal employment, property and credit, as well as access to medical care and related services (Haiti);**

95.45 **Take concrete steps to improve access to decent work and other economic opportunities for women in achieving gender equality (Malaysia);**

95.46 **Implement awareness-raising and training programmes for school staff and students to create safe educational environments free from discrimination (Maldives);**

95.47 **Prohibit discrimination on the ground of gender identity in employment legislation, such as by amending the Labour and Employment Relations Act, 2013 (Netherlands);**

95.48 **Conduct gender competence and domestic violence law training of its law enforcement agencies, including the police, prosecutors and the judiciary (Fiji);**

95.49 **Take all necessary measures to prevent and stop domestic violence, including through providing shelters for persons under threat, in coordination with the "Samoa Victims Support Group" (Brazil);**

95.50 **Investigate and prosecute all allegations and incidents of acts of violence against women and girls, including domestic violence. Implement targeted training for law enforcement, and engage with community leaders in the development of public education campaigns (Canada);**

95.51 **Take active steps to further promote children's rights by spreading awareness about domestic violence and child labour and emphasizing the importance of students' school attendance (Germany);**

95.52 **Put in place measures to prevent and combat conjugal and sexual violence and provide appropriate assistance and protection to victims, particularly in rural areas (Haiti);**

95.53 **Consider, as soon as possible, compiling statistical data on sexual offences against children and putting in place a registry of persons convicted of such offences (Haiti);**

95.54 **Promote awareness-raising campaigns aimed at preventing and combating violence against women and domestic violence (Italy);**

95.55 **Ensure that women victims of violence receive appropriate help and perpetrators are brought to justice (Italy);**

95.56 **Establish effective child abuse reporting mechanisms and ensure the appropriate remedy and rehabilitation for child victims (Malaysia);**

95.57 **Set up a shelter for victims of sexual abuse and violence (Maldives);**

95.58 **Develop a national action plan to combat trafficking in persons that includes measures for the rehabilitation of victims and training of the officials involved in investigating these crimes (Mexico);**

95.59 **Establish effective and transparent mechanisms to prevent violence, in particular against women, girls and boys, and ensure that these mechanisms are allocated with the necessary capacity and resources to be operational (Mexico);**

95.60 **Put in place comprehensive measures to prevent and address domestic violence and ensure that women have access to immediate means of redress and protection and that the perpetrators are prosecuted (Portugal);**

95.61 **Further protect children against violence and child labour through the strengthening of legislation, in order to safeguard their well-being and their right to education (Portugal);**

95.62 **Conclude the enactment of the bill to establish a policy against harassment in the public sector (Spain);**

95.63 **Ensure the application in the private sector of the provisions against sexual harassment of the Labour and Employment Relations Act (Spain);**

95.64 **Establish a coordination mechanism to combat child labour, including in all its worst forms (United States of America);**

95.65 **Apply harsher sentences for sexual violence and child abuse, with a view to strengthening laws on child protection, as well as developing new avenues for making complaints of child abuse, sexual aggression and incest which are adapted to children (Uruguay);**

95.66 **Strengthen measures to combat child abuse (Algeria);**

95.67 **Raise the level of protection for children. in particular against sexual abuse and child labour (Cabo Verde);**

95.68 **Continue progress in harmonizing its legislation on child labour with international standards (Chile);**

95.69 **Continue national efforts for the establishment of specialized courts on violence against women, particularly domestic and sexual violence (Guatemala);**

95.70 **Accelerate the procedure for the adoption of the bill reviewing the age of criminal responsibility (Turkey);**

95.71 **Provide members of the Samoa Police Service with training on the human rights of accused and detained persons, and ensure that provisions made for food, water and sanitation at detention facilities meet the United Nations Standard Minimum Rules for the Treatment of Prisoners (Canada);**

95.72 **Uphold the commitment as to the realization of the human rights to safe drinking water and sanitation (Spain);**

95.73 **Take measures to facilitate access to credit for women in rural areas (Honduras);**

95.74 **Step up efforts to promote sexual education, particularly oriented towards adolescents, paying special attention to the prevention of early pregnancy and to the control of sexually transmitted diseases and HIV/AIDS, as previously recommended (Mexico);**

95.75 **Adequately resource and implement the Mental Health Act of 2007 (United Kingdom of Great Britain and Northern Ireland);**

95.76 **Ensure effective implementation of the 2009 Education Act and also develop a national strategy to reduce dropout rates and to address cases of school-aged children working as street vendors (Italy);**

95.77 **Strengthen the implementation of policies to permit teenaged mothers to return to formal education and sit exams after giving birth, aimed at breaking cycles of poverty, teenage pregnancy and domestic abuse (Jamaica);**

95.78 **Step up efforts to achieve universal basic education and implement specific measures to reduce and prevent the dropping out of school by girls (Mexico);**

95.79 **Enhance efforts to improve access to quality education for all at all levels (Philippines);**

95.80 **Provide more school opportunities for children and strengthen education, vocational and technical training (China);**

95.81 **Continue efforts aiming at enhancing human rights education, especially for children (Egypt);**

95.82 **Protect land rights for indigenous communities (Cabo Verde);**

95.83 **Promote climate change mitigation and adaptation strategies and disseminate these to the entire Samoan society and in the school curriculum (Haiti);**

95.84 **Adopt measures to address the adverse effects of climate change with a human-rights-based approach, and strengthen the strategies for adjustment and management of disaster risk (Costa Rica);**

95.85 **Strengthen adaptation measures to curb the long-term effects of climate change (Maldives);**

95.86 **Continue efforts in terms of climate change mitigation strategy, including through assistance to the Samoan population in case of natural disasters and with the support of the international community (Morocco);**

95.87 **Monitor and evaluate the long-term effects of climate change (Sierra Leone);**

95.88 **Continue to strengthen 15 sectors identified for effective implementation of the Sustainable Development Goals (Pakistan);**

95.89 **Promote economic development, in a sustainable manner, to improve the quality of life of its population (China);**

95.90 **Apply a national development policy which incorporates the Sustainable Development Goals, the creation of an enabling environment for economic growth and improved services for the most marginalized communities (Cuba);**

95.91 **Continue the cooperation with OHCHR, including on identifying and developing programmes for capacity-building and technical assistance (Egypt).**

96. **The following recommendations will be examined by Samoa, which will provide responses in due time, but no later than the thirty-third session of the Human Rights Council, in September 2016:**

96.1 **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol and the International Covenant on Economic, Social and Cultural Rights by the third universal periodic review at the latest (Germany);**

96.2 **Take steps to ratify the remaining five core United Nations human rights treaties, namely the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana);**

96.3 **Ratify the International Covenant on Economic, Social and Cultural Rights (Costa Rica) (Netherlands) (Algeria) (Montenegro) (Portugal) (Guatemala);**

96.4 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

96.5 **Consider accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families to strengthen further its national legal framework (Indonesia);**

96.6 **Ratify the remaining core human rights treaties, in particular the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination, as well as the Convention on the Prevention and Punishment of the Crime of Genocide (Ireland);**

96.7 **Sign and ratify the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination (Italy);**

96.8 **Consider ratification of the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights (Namibia);**

96.9 **Ratify the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Portugal) (Guatemala);**

96.10 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (France);**

96.11 **Ratify the Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment (France) (Uruguay);**

96.12 **Take steps to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (New Zealand);**

96.13 **Accede to the Convention against Torture and its Optional Protocol (Chile) (Honduras);**

96.14 **Intensify efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);**

96.15 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (France) (Uraguay) (Montenegro) (Portugal);**

96.16 Ratify or accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention on the Elimination of All Forms of Racial Discrimination (Sierra Leone);

96.17 Ratify the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Slovenia);

96.18 Consider ratifying, as soon as possible, fundamental international human rights instruments such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Economic, Social and Cultural Rights (Timor-Leste);

96.19 Accede to other fundamental international instruments, particularly the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Turkey);

96.20 Consider ratifying other key international human rights treaties, including the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as Optional Protocols to the Convention against Torture and the Convention on the Rights of the Child (Ukraine);

96.21 Consider ratifying the international instruments to which the country is not yet party, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Argentina);

96.22 Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);

96.23 Accede to the International Covenant on Economic, Social and Cultural Rights (Armenia) (Honduras);

96.24 Ratify international human rights instruments to which it has not yet adhered, such as the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as their protocols (Brazil);

96.25 Accede to the International Convention on the Elimination of All Forms of Racial Discrimination and to the two optional protocols to the International Covenant on Civil and Political Rights, with particular reference to the abolition of the death penalty in all circumstances, (Honduras);

96.26 **Ratify international instruments on the prevention of trafficking in persons (Costa Rica);**

96.27 **Consider ratifying international human rights treaties to which it is not yet a State party (Philippines);**

96.28 **Ratify those core international human rights instruments not yet ratified (Cabo Verde);**

96.29 **Take all necessary measures towards becoming a State party to more core human rights treaties (Cyprus);**

96.30 **Consider ratification of all core human rights conventions (Egypt);**

96.31 **Take steps to address inequalities affecting human rights in the area of discrimination based on sexual orientation and gender identity (New Zealand);**

96.32 **Repeal all provisions criminalizing same-sex relations between consenting adults (Slovenia);**

96.33 **Complete the updating of legislation by decriminalizing homosexual relations between consenting adults (Spain);**

96.34 **Combat discrimination based on sexual orientation and gender identity by decriminalizing "sodomy" and "indecency between males", which currently constitute crimes punishable by prison sentencing for up to seven years (United States of America);**

96.35 **Repeal laws that criminalize consensual same-sex conduct, and prohibit discrimination on the grounds of sexual orientation or gender identity in all areas of public life, including employment, health and education, bringing the legislation of Samoa into conformity with its commitment to equality (Canada);**

96.36 **Adopt measures to prevent violence and discrimination against persons on the basis of their sexual orientation and gender identity (Chile);**

96.37 **Adopt measures to reduce violence against women and girls and violence based on sexual orientation and gender identity (Slovenia);**

96.38 **Amend its laws to prohibit corporal punishment of children in all settings and circumstances, and take further steps to eradicate child labour and guarantee the right to education of all children (Ireland).**

97. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Samoa was headed by Hon. Lautafi Selafi Purcell and composed of the following members:

- Hon. Lautafi Selafi Purcell, Minister of State;
- Peseta Noumea Simi, Chief Executive Officer, Ministry of Foreign Affairs & Trade;
- Constance Rivers, Associate Public Solicitor, Office of the Attorney General;
- Olive Vaai, Senior Foreign Service Officer, Ministry of Foreign Affairs & Trade;
- Pierina Katoanga, Second Secretary, Samoa Mission to the United Nations, New York.

United Nations A/HRC/33/7

General Assembly

Distr.: General
8 July 2016

Original: English

Human Rights Council
Thirty-third session
Agenda item 6
Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Greece

* The annex is being circulated in the language of submission only.

GE.16-11662(E)
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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fifth session from 2 to 13 May 2016. The review of Greece was held at the 4th meeting on 3 May 2016. The delegation of Greece was headed by the Secretary-General for Transparency and Human Rights, Kostis Papaioannou. At its 11th meeting, held on 9 May 2016, the Working Group adopted the report on Greece.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Greece: the Netherlands, the Russian Federation and South Africa.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Greece:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/25/GRC/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/25/GRC/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/25/GRC/3).

4. A list of questions prepared in advance by Afghanistan, Belgium, the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Greece through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Greece stated that the national report had been drafted in an inclusive process involving ministries and consultations with civil society and the National Commission for Human Rights. Greece would submit a midterm progress report on the implementation of the recommendations it supported, as it had done in the first cycle.

6. As a former chairperson of the National Commission, the head of delegation observed how the institution had grown in respect and influence and been strengthened through recent legislation.

7. Important steps had been made, but much more needed to be done. The dialogue would be guided by critical self-assessment.

8. Greece had experienced a severe economic crisis. Following negotiations with the European Commission, the European Central Bank and the International Monetary Fund, policies responding to the crisis had largely consisted of extreme austerity measures. The impact of the recession had been significant. In 2014, 36 per cent of the population had been at risk of poverty or social exclusion; gross domestic product had fallen by 25 per cent; the unemployment rate had reached 24.4 per cent; and youth unemployment had

reached 49.8 per cent. The National Commission had made recommendations and stressed the negative effect of austerity on human rights and democratic institutions.

9. While implementing the most recent financial agreement, Greece had striven to protect the rights of vulnerable persons. In March 2015, a law had been adopted to ensure provision of basic goods and services to persons and families living in extreme poverty. The ongoing pension reform aimed at developing a fair and rational social security system. Financial constraints could not be used as an excuse for shortcomings in human rights protection and every effort was being made to give full effect to all international human rights conventions. Nevertheless, the case of Greece presented proof that undermining economic and social rights could not leave civil and political rights intact.

10. As a consequence of the economic crisis, the gender gap had widened in the labour market and unemployment and inactivity rates had risen. The National Programme for Substantive Gender Equality 2010-2015 had been designed before the escalation of the economic crisis and had managed to only partially mitigate the effect of the crisis on gender equality. Laws adopted in early 2016 had established health coverage for all uninsured individuals, including members of vulnerable groups, giving them free access to the public health system, and promoted easier access to medical care and treatment at zero or near-zero cost.

11. The reception of more than 1 million refugees and irregular migrants since the beginning of 2015 had had a direct effect on Greece. Greeks, who themselves were suffering financial distress, had welcomed them and addressed their immediate needs, despite voices all over Europe calling for closed borders, which, inter alia, had resulted in further deaths at sea. Racist attacks had not increased during that period, although Greece remained fully aware of the danger of rising racism and xenophobia, as was the case in many European countries.

12. Unilateral measures resulting in border closures along the Western Balkans migratory route had left around 55,000 people stranded in Greece. Greece would not cease to uphold fundamental rights and principles and address its humanitarian obligations. The coastguards had done their utmost in search and rescue operations; national stakeholders and the European Union had provided additional resources for that purpose. The delegation provided statistics on the rescues in 2015 and 2016, including on those who had regrettably lost their lives attempting to cross the Aegean. Receptions centres had been created in the Eastern Aegean islands and nationwide, while some people benefited from rental subsidies and host family programmes. Regrettably, many people had insisted on staying around Eidomeni owing to misinformation. They would be moved in May, without use of force, when the necessary reception camps were ready.

13. Greece had adopted the legal framework for the implementation of the March 2016 agreement between the European Union and Turkey. The numbers of asylum requests under consideration and the pre-registration requests for asylum were growing. The task was enormous, given the limited resources and the growing pressure to close borders and speed up procedures. However, Greece would not undermine the human rights principles that guaranteed the right to seek asylum and prohibited collective expulsions. Most of the difficulties arose from contradictions in European policy on migration and asylum. Constant efforts were being made to increase the capacity of the Asylum Service.

14. Protecting unaccompanied minors was of the utmost priority. Serious challenges remained, but the relevant legislation was under review. The new framework provided for a registry of guardians with specific duties and obligations who would be inspected by a monitoring body.

15. Greece attached importance to the integration of refugees and migrants, but its high unemployment rate hindered their access to the labour market. Regrettably, the high inflows had meant that more resources had had to be allocated to first reception than to integration. Beyond the assistance from the European Union, Greece had spent over €1.8 billion from its national budget and had been hiring personnel especially for the First Reception and Asylum Services. Such a crisis could only be addressed through international cooperation and burden sharing, but Greece was concerned that not all its European friends shared that principle.

16. Racist violence had been a concern, particularly in 2012/13. The authorities had reacted with measures including the strengthening of legislation and the creation of five special prosecutors for racist crimes. Parliament had been enabled to suspend State financing of political parties whose officials were provisionally detained for racist crimes, and the trial of members of the Golden Dawn party was ongoing.

17. A National Board against Racism and Intolerance had been established and an action plan would be forthcoming. A hate speech monitoring mechanism was also planned. New police units and offices had been established to investigate acts of racist violence and had received training.

18. The accountability of law enforcement personnel was a top priority. An office responsible for handling alleged instances of abuse had been established in law, but it was not yet operational owing mainly to a lack of resources. Greece was studying alternative ways to ensure that the mechanism was effective and independent. Impunity could not be tolerated.

19. A legislative review of equality and non-discrimination policies was almost complete. Amendments enacted had included reinforcing the competences of the Ombudsman and the explicit inclusion of "gender identity" and "gender characteristics" as grounds for non-discrimination.

20. Access to justice was ensured for victims of discrimination through measures such as free legal aid and fee exemptions for those on low incomes.

21. Greece had passed a law extending civil partnerships to include same-sex couples. The higher age of consent for male homosexual acts had been abolished and legislation on legal gender recognition was being considered.

22. A National Action Plan on the Rights of the Child was being drawn up, as was a national strategic plan for deinstitutionalization, in accordance with the provisions of the Convention on the Rights of Persons with Disabilities. Minors had already been transferred out of the Lehaina centre, and experts were developing plans for the care of the other residents. Other measures were under way to reform foster care and adoption and to review the legal framework for State and private care institutions.

23. The situation in detention facilities remained a concern, but measures had been taken and the prison population had declined. Greece was engaging with expert European bodies to develop a strategic plan on prisons. The Ombudsman had stressed the need for a more holistic approach and the Ministry of Justice had adopted many of the Ombudsman's proposals.

24. Access to counsel was ensured from the moment of deprivation of liberty. A lawyer was always appointed for those accused of a felony and for minors. Free legal aid was available to those on low incomes and vulnerable persons, such as victims of trafficking or domestic violence. Challenges remained regarding the speed of judicial proceedings, but a number of legislative amendments had been adopted to accelerate proceedings.

25. While Greece was concerned that domestic violence had reached alarming proportions, it was encouraged that women were breaking their silence and that their reports might lead to prosecutions. A national programme in the field had contributed to increasing the visibility of domestic violence as a crime.

26. Greece noted that the economic crisis had disproportionately affected vulnerable groups such as the Roma and a series of measures would be implemented in almost all municipalities.

27. Human rights education and citizenship education were priorities and the refugee inflows had made child refugees' and young people's access to education imperative.

28. Greece intended to address proposals to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights favourably and would actively consider ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure in the context of the National Action Plan on the Rights of the Child. A working group was preparing legislative proposals for the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Accession to the Convention on the Reduction of Statelessness would be considered in due course. The process for ratifying the amendments to the Rome Statute of the International Criminal Court on the crime of aggression had been initiated.

29. Greece stressed that freedom of expression and association were fully protected, without discrimination. In Thrace, where the Muslim minority lived, numerous minority associations had been registered by the courts and operated unimpeded. Greece was considering appropriate ways to execute three judgments of the European Court of Human Rights in which violations of the right to freedom of association had been found.

B. Interactive dialogue and responses by the State under review

30. During the interactive dialogue, 88 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

31. The United Arab Emirates welcomed the achievements of Greece, including the recent law on the establishment of a National Board against Racism and Intolerance.

32. The United Kingdom welcomed the steps taken to implement the recommendations from the first review, the establishment of the National Action Plan on Human Rights, the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the recognition of same-sex unions.

33. The United States of America raised concern about instances of discrimination against members of the Muslim minority in Thrace and against Roma, as well as hate speech by public officials against members of religious and other minorities.

34. Uruguay noted the efforts of Greece in the face of the economic crisis and welcomed the development of a new action plan on gender equality.

35. The Bolivarian Republic of Venezuela commended Greece for the measures it had taken to provide the poorest families with free electricity, rental subsidies, food and a minimum income, and for its efforts to address the migration crisis.

36. Albania congratulated Greece on the presentation of its report.

37. Algeria welcomed the adoption of the National Action Plan on Human Rights and of the law establishing a National Board against Racism and Intolerance.

38. Argentina commended Greece for ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and praised its efforts in the face of the migration crisis.

39. Armenia praised Greece for its reception of hundreds of thousands of refugees, despite its economic challenges. Armenia highlighted the adoption of a strong legal framework to combat racism.

40. Australia acknowledged the steps taken to reduce overcrowding in prisons and the stricter penalties that had been introduced for discrimination and incitement to violence. It remained concerned by reports of gender discrimination and hate crimes.

41. Austria stressed the need to pay particular attention to the accommodation provided to unaccompanied minors in the refugee context. It welcomed efforts to combat domestic violence.

42. Bahrain welcomed the reforms Greece had put in place and its reception of refugees, despite the economic crisis, and stressed the need to share responsibility for tackling the refugee crisis.

43. Bangladesh regretted that its recommendation on migrants' rights in the first review had not been accepted. It referred to some of the concerns of the treaty bodies, including on the use of force and ill-treatment.

44. Belarus was concerned at the lack of progress in addressing gender equality since the first review. It called on Greece to address migrants' working conditions, especially in agriculture.

45. Belgium welcomed the ratification of the Optional Protocol to the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance. It remained concerned by the detention of unaccompanied minors and the security conditions in some reception centres.

46. Bosnia and Herzegovina highlighted the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto. It inquired about institutional care facilities for children, especially those with disabilities.

47. Botswana welcomed the 2014 law strengthening the country's anti-racism legislation and the creation of the Racist Violence Recording Network, but was concerned at reports of ill-treatment of children.

48. Brazil commended the extension of the law on civil partnerships to same-sex couples and the recent ratifications of international instruments. It encouraged further efforts to fight xenophobia and discrimination.

49. Bulgaria welcomed the elaboration of the National Action Plan on the Rights of the Child and the appointment of special prosecutors to investigate racist crimes.

50. Canada noted with satisfaction the adoption of a law recognizing same-sex civil partnerships and encouraged Greece to extend full legal equality to lesbian, gay, bisexual, transgender and intersex persons.

51. Chile commended Greece for its commitment to human rights through the consolidation of its legal and institutional frameworks. It noted the exceptional influx of migrants and asylum seekers.

52. China welcomed the adoption of a legal framework to combat racism and racial discrimination. It praised the authorities' rescue at sea of hundreds of thousands of migrants and their reception.

53. Costa Rica praised the inhabitants of Lesbos on their reception of persons escaping war. It expressed concerns about the excessive use of force by the police.

54. Cuba congratulated Greece for having continued to meet its human rights commitments, despite the migration crisis. Its ratification of the Convention on the Rights of Persons with Disabilities, the Optional Protocol thereto and the International Convention for the Protection of All Persons from Enforced Disappearance were examples of that.

55. Cyprus commended Greece for its principled and humane approach to refugees and migrants. It welcomed the legal framework to combat racism, xenophobia and related forms of intolerance.

56. The Czech Republic thanked Greece for the responses to its advance questions.

57. Ecuador commended Greece for its ratification of the Convention on the Rights of Persons with Disabilities, the Optional Protocol thereto and the International Convention for the Protection of All Persons from Enforced Disappearance, for its new legislation to combat racism and for the National Action Plan on Human Rights.

58. Egypt praised the positive developments since the last review, including the adoption of a National Action Plan on Human Rights and the ratification of the Convention on the Rights of Persons with Disabilities.

59. Finland commended the efforts made to address shortcomings in the asylum management system, including the creation of the First Reception Service, and encouraged Greece to continue its efforts.

60. France welcomed the commitments made by Greece, in particular the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

61. Georgia welcomed the submission of a midterm implementation report regarding the accepted recommendations from the first cycle and encouraged the submission of a similar report during the second cycle.

62. Germany commended achievements such as the adoption in 2015 of a law extending civil unions to same-sex couples. It was concerned about the detention conditions of migrants.

63. Ghana commended Greece for rescuing more than 100,000 refugees and migrants at sea and for the assistance extended to refugees and migrants on the Greek islands.

64. Guatemala welcomed the ratification of the Convention on the Rights of Persons with Disabilities, the Convention against Torture and the Optional Protocol thereto. It expressed concern about the reports of increased discrimination against migrants, asylum seekers and Roma owing to the economic crisis.

65. The Holy See acknowledged the efforts of Greece to guarantee human rights through the National Action Plan on Human Rights. It praised efforts to prevent trafficking in persons.

66. Hungary encouraged Greece to develop a national strategy to combat racism, welcomed the National Action Plan on Human Rights and asked about the practical measures being taken to implement it.

67. Iceland acknowledged that Greece had maintained standards despite the simultaneous crises and noted that Greece should not face a disproportionate share of the responsibility to meet the needs of refugees and migrants.

68. India welcomed the recent steps to combat racism, the adoption of the new action plan on gender equality and the plan to revamp the public benefit employment scheme. India requested further information on those issues and on steps taken to address the situation of undocumented migrants and asylum seekers.

69. Indonesia commended Greece for its efforts to promote human rights, despite the economic crisis, by ratifying the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention against Torture and by the drafting national action plans.

70. The Islamic Republic of Iran welcomed the steps taken by Greece to mitigate the impact of the economic crisis and austerity measures on the most disadvantaged.

71. Iraq commended the achievements of Greece in the areas of women's and children's rights and called upon it to uphold human rights principles in addressing other challenges.

72. Ireland appreciated the challenges that Greece faced in responding to the needs of the unprecedented number of migrants and refugees. The crisis required close cooperation with the European Union, the United Nations and civil society.

73. Israel commended Greece for its efforts to alleviate the negative impact of the economic crisis and for its legislative framework to fight against racial discrimination, xenophobia and Holocaust denial.

74. Italy encouraged Greece to maintain its commitment to protecting economic, social and cultural rights while mitigating the effects of the economic crisis, and commended its assistance to migrants.

75. Greece noted that major reform to its asylum system had resulted in a process acknowledged to be of high quality and a recognition rate of approximately 50 per cent. Greece was currently receiving more asylum claims than wealthier European Union member States. Efforts to improve reception facilities were constant, especially for unaccompanied minors. Alternatives to detention were being implemented on the islands.

76. Greece highlighted that the child protection system was being restructured, with emphasis on developing support services for children and families, preventing institutionalization and reinforcing foster parenting, including for children with disabilities. In 2016, the number of children placed with families instead of in institutions was expected to be double that of previous years. A national strategy on social inclusion, which had been submitted to the European Commission, provided the foundations to tackle child poverty and a number of transfer payments and programmes were in place for families of children living in poverty.

77. Greece noted that the positive impact of some of its policies had been seen as most students with disabilities were currently being supported within mainstream programmes.

78. Greece stressed that racism was recognized as one of the most important issues affecting human rights in Greece and in many European and non-European countries. The delegation gave an overview of the challenges Greece faced in that regard and its responses in terms of legislation and State policy.

79. Greece stressed that one group of persons, the Muslim minority in Thrace, was considered to be a minority under the terms of the Treaty of Peace, signed at Lausanne, July 24, 1923. It consisted of three distinct groups of persons of Turkish, Pomak and Roma origin. Implementation of the Treaty was based on modern human rights standards. Greece fully respected the principle of individual self-identification, however, its position was that a State's decision to recognize a group as a minority and provide its members with specific minority rights in addition to those in human rights treaties had to be based on objective

facts and criteria. Members of groups not officially recognized as minorities fully enjoyed their rights under the human rights treaties.

80. Greece stated that members of the Muslim minority in Thrace were free to address either the civil courts or the local muftis concerning sharia law in family and inheritance matters. The law provided that the courts should not enforce muftis' decisions that were contrary to the Constitution or regional and international human rights treaties.

81. Greece stressed the challenges facing the police in providing European Union external border security, managing the mixed migration flows and meeting the country's human rights obligations. The economic situation had a direct impact on the resources available. Great humanity was being shown, particularly by officers who risked their lives rescuing migrants who were at risk of drowning. Both the police and the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union were monitoring any cases of ill-treatment or violations of the principle of non-refoulement.

82. Jamaica commended the national action plans on human rights and children's rights, the establishment of the National Board against Racism and Intolerance and the reform of national policies governing asylum seekers.

83. Kenya welcomed the national action plans on human rights, children's rights and on the reform of the asylum system and migration management, and the recent ratifications of international instruments.

84. Lebanon appreciated the promotion and protection of human rights since the last review, despite the challenges of the economic and refugee crises, and commended the rescue and reception of refugees.

85. Libya welcomed progress on recommendations from the last review and the measures to address social disparities, particularly Law 4320/2015 on families in extreme poverty and the guaranteed minimum income scheme.

86. Malawi applauded efforts to eliminate human trafficking and progress in prosecuting labour trafficking offences. Malawi asked the international community to support Greece in addressing the financial crisis and hosting migrants.

87. Malaysia acknowledged efforts to protect vulnerable groups, migrants and persons with disabilities, following ratification of the Convention on the Rights of Persons with Disabilities, but noted the remaining challenges concerning racism, discrimination and access to education.

88. Maldives welcomed the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention against Torture, and the National Action Plan on Human Rights. It encouraged efforts to assist refugees.

89. Mexico praised the protection given to vulnerable groups, policies on access to basic services and employment for families in extreme poverty, and the efforts to receive refugees and asylum seekers.

90. Montenegro noted concerns about the impact of the economic crisis on discrimination against vulnerable groups. It encouraged Greece to ensure decent living conditions in reception and detention centres for migrants and asylum seekers.

91. Morocco welcomed the law providing for a National Board against Racism and Intolerance and commended the ratification of the Optional Protocol to the Convention against Torture and the designation of the Ombudsman as the national preventive mechanism.

92. Namibia recognized the economic crisis in Greece and trusted that the redesigned European Union asylum policy would alleviate the increasing migrant and refugee crisis.

93. Nepal noted the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, and the development of national action plans on human rights and children's rights. It appreciated the efforts to promote migrants' integration and to combat racism.

94. The Netherlands was pleased that Greece had enacted a law allowing civil partnership between same-sex couples, but noted that it did not grant same-sex couples the same rights as heterosexual couples.

95. Nigeria welcomed the circular on the right of every child living in Greece to enrol in school. It expressed concern at the absence of a national plan against racism.

96. Norway commended the efforts of Greece to handle the migration influx and emphasized the responsibility of all European countries to improve the situation for refugees and migrants in Europe.

97. Pakistan noted the ratification of the Convention on the Rights of Persons with Disabilities, the Optional Protocol thereto and the Optional Protocol to the Convention against Torture. It asked Greece to complete the construction of a mosque in Athens to allow religious minorities freedom of religion and belief.

98. Panama noted that the migration crisis, as well as the economic crisis, was affecting human rights in Greece, and that in response, a long-term, integrated strategy was needed at the European level.

99. Peru highlighted the efforts of Greece to consider human rights, particularly those of vulnerable groups, while implementing austerity measures, and to provide a dignified reception for refugees and migrants.

100. The Philippines appreciated the protection mechanisms relating to migrants. It agreed that Greece needed to prioritize completion of the National Action Plan on the Rights of the Child.

101. Poland was aware of financial constraints and acknowledged efforts to address social inequalities. It welcomed the new laws and policies on acts of violence against foreigners.

102. Portugal welcomed the protection of the right of every child living in Greece to enrol in school, regardless of residence status, and commended the ratification of the Optional Protocol to the Convention against Torture.

103. Qatar commended the implementation of the recommendations from the previous review, the creation of national action plans, especially for children, efforts to combat racism and intolerance, and the creation of refugee reception centres.

104. The Republic of Korea hoped that the minimum essential economic and social rights would be safeguarded for the vulnerable, regardless of the economic reforms.

105. Honduras appreciated the progress made by Greece in the protection of asylum seekers and irregular migrants, and with regard to the integration of Roma in the country.

106. The Republic of Moldova asked about the evaluation of the National Action Plan on Human Rights, and whether the national referral mechanism for victims of trafficking was fully operational.

107. Romania appreciated the hospitality Greece was providing for refugees and migrants. It acknowledged the legislative framework to combat racism and related intolerance and the establishment of the National Board against Racism and Intolerance.

108. The Russian Federation welcomed the efforts of Greece to rescue thousands of refugees off the island coasts and the measures for the inclusion of persons with disabilities.

109. Senegal commended the adoption of Law 4320/2015 ensuring the provision of basic goods and services to persons and families living in extreme poverty and the ratification of several human rights instruments.

110. Sierra Leone urged Greece to seek ways to protect the rights of undocumented migrants and asylum seekers more effectively and agreed that European Union asylum policy should be reviewed.

111. Slovakia commended Greece for ratifying the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto and invited it to ensure their effective implementation. Slovakia encouraged Greece to pursue its work on deinstitutionalization in favour of family-based care for children.

112. Slovenia welcomed the recent ratifications of international instruments and the efforts of Greece to respect the rights of refugees and to protect unaccompanied children.

113. South Africa commended Greece for the assistance it had extended to refugees and migrants and its adoption of the legislative framework to fight racism and related intolerance, and encouraged it to continue those efforts.

114. Spain noted the changes in the situation in Greece during the reporting period and praised the country's efforts to demonstrate its commitment to human rights, despite the difficulties.

115. The State of Palestine commended the efforts to implement the recommendations from the first review and noted improvements in the implementation of the right to education.

116. Sweden noted the unprecedented increase in the numbers of asylum seekers, refugees and migrants entering Greece and that the problems increased when people were denied the possibility of leaving Greece.

117. Switzerland welcomed the significant steps that had been taken to implement the recommendations Greece had accepted in the first review cycle.

118. Tajikistan noted the efforts of Greece to protect human rights, particularly the preparation of the national action plan on human rights, despite the economic crisis.

119. Thailand commended the adoption of various human rights actions plans and encouraged Greece to continue its efforts to integrate the Roma.

120. The former Yugoslav Republic of Macedonia regretted that Greece had not implemented the recommendation from the first review on executing the European Court of Human Rights judgments concerning the registration of Macedonian minority associations.

121. Timor-Leste welcomed the creation of the Children's Ombudsman and wished to hear more on the establishment of the National Board against Racism and Intolerance.

122. Togo noted that despite the economic crisis, Greece had adopted laws and measures to counter the rise of racist violence and the surge in attacks against migrants.

123. Turkey made recommendations.

124. Uganda noted the adoption of national action plans on human and children's rights and the establishment of the National Board against Racism and Intolerance.

125. Ukraine noted the measures to protect the rights of vulnerable persons from the effects of the economic recession, and the proactive stance of Greece in advocating the rights of journalists in international forums.

126. Greece noted that the austerity measures it had had to take within the framework of the programme of assistance of the European Central Bank and the International Monetary Fund had been found by international and European treaty bodies to be in violation of human rights treaties. It outlined the measures it had taken to protect the most vulnerable sections of the population, noting its investments to address unemployment, particularly for young people, women and the long-term unemployed, to deal with housing and poverty and to reorganize the social policy system. Furthermore, Law 4368/2016 provided for free access to the public health system for uninsured individuals and members of vulnerable groups.

127. Greece stressed that the use of the term "Macedonian" to refer to a small number of persons who lived in the northern Greek region of Macedonia and spoke, besides Greek, a Slavic idiom, without any qualifier reflecting their Slav-oriented identity, infringed upon the rights and identity of more than 2.5 million Greek-Macedonians who used the adjective to denote their regional and cultural provenance. Those persons could nevertheless freely express their views, organize cultural events and speak their idiom. In relation to the Muslim minority, persons were free to declare their origin, but the attempt to subsume Pomak and Roma persons under a Turkish identity was not acceptable. Greece was firmly committed to upholding the right to education of the Muslim minority in Thrace and since the 1990s, a programme to upgrade their education had been in place.

128. The Asylum Service was identifying unaccompanied minor migrant children and attempting to determine if there was a parent or other person responsible for each child. Greece was trying to find more reception centres for them and to upgrade the relevant procedures.

129. Greece had taken special measures for the education of the Roma. However, there were still individual reports of Roma children who received education in segregated schools. Some had been dealt with successfully, but others needed further interventions and the involvement of the whole community.

130. The new national action plan on gender equality was under preparation. The priorities included social cohesion, poverty eradication and addressing the migration crisis with a gender perspective.

131. Greece had stepped up its efforts to combat trafficking in persons, especially through the establishment of the Office of the National Rapporteur. It provided further details on its actions.

132. The implementation of the National Action Plan on Human Rights (2014-2016) would be evaluated at the end of 2016 and a follow-on plan would be prepared in consultation with the public and civil society.

133. The refugee crisis had offered Greek society collective self-esteem: the lost belief in solidarity had been regained and local communities had demonstrated it. Greece intended to use the challenges mentioned in the interactive dialogue not as an excuse, but as a means of understanding reality. It assured the meeting that the recommendations would be widely disseminated and thanked the participants in the discussion.

II. Conclusions and/or recommendations**

134. **The recommendations listed below have been examined by Greece and enjoyed the support of Greece:**

134.1 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Montenegro) (Italy) (Portugal);**

134.2 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Montenegro) (Portugal);**

134.3 **Ratify and domesticate the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Kenya);**

134.4 **Ratify the 1961 Convention on the Reduction of Statelessness (Ghana);**

134.5 **Consider ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Georgia);**

134.6 **Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) (Belgium) (Bosnia and Herzegovina) (Bulgaria) (Italy) (Netherlands) (Portugal) (Slovenia) (Thailand) (Turkey);**

134.7 **Intensify efforts to combat violence against women and domestic violence and ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) (Austria);**

134.8 **Develop national human rights indicators, as suggested by OHCHR, as an instrument that allows for a more precise and coherent evaluation of its national human rights policies (Portugal);**

134.9 **Ensure the adequate financial resources for the national human rights institutions (Poland);**

134.10 **Develop, in collaboration with the National Commission for Human Rights, an operational and comprehensive human rights strategy (Ukraine);**

134.11 **Finalise and implement a National Action Plan on the Rights of the Child as a matter of priority; in the meantime, put measures in place to protect those who are vulnerable such as unaccompanied children and children with disabilities (Botswana);**

134.12 **Finalize, as soon as possible, the National Action Plan on the Rights of the Child and address, as a matter of priority, the issue of unaccompanied children (China);**

134.13 **Complete the elaboration of the National Action Plan on the Rights of the Child and address, as a matter of priority, the issue of unaccompanied children (Cyprus);**

134.14 **Adopt and effectively implement a national action plan on the rights of the child with special attention to protection of the rights of children in institutional care and children with disabilities (Czech Republic);**

** The conclusions and recommendations have not been edited.

134.15 Expedite the process of finalization of the National Action Plan on the Rights of the Child (Georgia);

134.16 Expedite the adoption of a National Action Plan to protect the rights of children (Maldives);

134.17 Prioritise the review and reform of the legislative framework to fully safeguard the rights of unaccompanied minors, including through finalisation of its National Action Plan on the Rights of the Child (Jamaica);

134.18 Finalize the National Action Plan on the Rights of the Child, attaching the necessary importance to the issue of unaccompanied children (Romania);

134.19 Finalise the National Action Plan on the Rights of the Child and address, as a matter of priority, the issue of unaccompanied children (South Africa);

134.20 Strengthen human rights education and training (Morocco);

134.21 Take appropriate measures to improve inclusion and social diversity, by conducting public campaigns on racism and xenophobia and include awareness-raising and education in the field of human rights in the curriculum of public schools (Honduras);

134.22 Undertake further initiatives to address hate speech directed against members of vulnerable groups, and ensure sufficient focus on this topic in the education system (Norway);

134.23 Conduct public campaigns on racism and xenophobia; and include human rights education in the educational curriculum of public schools (Nigeria);

134.24 Provide human rights training to law enforcement officials to end incidents of police brutality and excessive use of force (Sierra Leone);

134.25 Include the issue of domestic violence in regular education and training courses for police officers, prosecutors and judges (Slovenia);

134.26 Continue the promotion and the protection of human rights, particularly for women, children and vulnerable groups in the society (Bahrain);

134.27 Continue to take measures to protect the rights of children, women and refugees (Pakistan);

134.28 Continue efforts aimed at promoting rights of children, women, persons with disabilities (Ukraine);

134.29 Accelerate the adoption of a new comprehensive plan of action on gender equality and ensure its effective implementation (Belarus);

134.30 Adopt and fully implement a new action plan on the gender equality for the next period lasting till 2020 (Slovakia);

134.31 Undertake further measures to realize its policies in relation to gender equality (Tajikistan);

134.32 Continue to strengthen measures to promote the economic empowerment of women particularly in the time of the financial crisis (United Arab Emirates);

134.33 **Continue the efforts to promote gender equality, with regard to the high female unemployment rates (Bulgaria);**

134.34 **Take additional measures in order to fully implement the national legislation securing gender equality (Iraq);**

134.35 **Continue to strengthen measures to promote tolerance and respect for cultural diversity and to counter prejudice, stereotypes, discrimination, racism, and Islamophobia (United Arab Emirates);**

134.36 **Take further actions to combat incitement to hatred and racist crimes against foreign nationals, including by promoting a positive narration on international migration and pursuing the National Action Plan against Racism and Intolerance (Malaysia);**

134.37 **Ensure that all crimes committed with a discriminatory motive are fully and effectively investigated and prosecuted (Australia);**

134.38 **Effectively investigate hate crimes and violent attacks against individuals from vulnerable and marginalized groups, including ethnic and religious minorities; prosecute perpetrators as well (Canada);**

134.39 **Continue to fight against racist crimes and hate speech (China);**

134.40 **Investigate all cases of xenophobia, violence and attacks against migrants, including the involvement of law enforcement officers in such crimes (Ghana);**

134.41 **Investigate all cases of violence and xenophobic attacks, including any type of participation in these crimes by the forces of public order and of the staff of detention centres (Guatemala);**

134.42 **Investigate all cases of xenophobic violence and attacks against migrants, including any law enforcement involvement in those crimes (Namibia);**

134.43 **Investigate all cases of xenophobic violence (Iceland);**

134.44 **Fully implement the already existing and recently amended legislation to combat racism and xenophobia (Israel);**

134.45 **Continue efforts to address hate speech against refugees and migrants (Lebanon);**

134.46 **Investigate all cases of xenophobic violence and attacks against migrants (Nigeria);**

134.47 **Implement stricter policies aimed at ending racial violence as perpetuated against migrants and foreigners (Sierra Leone);**

134.48 **Take additional measures to combat violence related to racial discrimination (France);**

134.49 **Increase the measures for combatting intolerance and xenophobic and racist violence (Peru);**

134.50 **Extend measures to address the problem of hate speech, especially by ensuring effective investigations (Germany);**

134.51 **Continue to deepen awareness-raising measures on discrimination against asylum seekers and refugees, in particular through the investigation of cases of violence and xenophobic attacks against migrants (Argentina);**

134.52 **Adopt a comprehensive strategy to fight against all forms of racism and xenophobia (Algeria);**

134.53 **Continue maximum efforts to ensure freedom from discrimination for certain minorities, especially school age children and women (Uruguay);**

134.54 **Continue its endeavours to combat racism, including through establishing a national board against racism and intolerance (Egypt);**

134.55 **Take additional measures in combating racism, racial discrimination and xenophobia and fully implement the applicable law (Armenia);**

134.56 **Continue its efforts to eliminate all forms of racial discrimination, xenophobia and intolerance (Holy See);**

134.57 **Promote and develop laws to combat all forms of discrimination, racism and xenophobia (Lebanon);**

134.58 **Continue efforts to fight against racism and racial discrimination (Morocco);**

134.59 **Continue the efforts to combat racism, racial discrimination and xenophobia (Poland);**

134.60 **Continue to take further steps, with a view to combatting racism, racial discrimination, xenophobia and related intolerance, and to implement the existing and newly adopted legislation (Romania);**

134.61 **Ensure full implementation of legislation aimed at combating racism, racial discrimination, xenophobia and related intolerance (South Africa);**

134.62 **Work on increasing racial, ethnic and religious tolerance (Tajikistan);**

134.63 **Adopt a national plan to combat social exclusion and vulnerability of women belonging to Muslim communities, Roma women, migrants and women living in rural areas (Algeria);**

134.64 **Combat more actively the stereotypes and prejudices to which lesbian, gay, bisexual, transgender and intersex persons are subject, organizing public awareness campaigns and ensuring that the perpetrators of acts of violence on the grounds of sexual orientation are prosecuted and punished (Chile);**

134.65 **Adopt measures to fight against discrimination based on sexual orientation or gender identity (Israel);**

134.66 **Actively investigate instances of discrimination in employment, including against lesbian, gay, bisexual, transgender and intersex persons (United States of America);**

134.67 **Improve the treatment of migrants, asylum seekers, Roma population and other marginalized groups by law enforcement officials (Albania);**

134.68 **Ensure in practice the accountability of law enforcement officers in cases of abuse (Belarus);**

134.69 **Prosecute and punish perpetrators of acts of torture in accordance with the law (Togo);**

134.70 **Continue with its efforts to avoid excessive use of force by law enforcement officials, in particular related to the policing of demonstrations and crowd control (Holy See);**

134.71 **Staff and operationalize the office established for handling alleged instances of abuses of law enforcers in order to address all alleged attacks and reports of ill treatment (Botswana);**

134.72 **Strengthen efforts to prevent torture, including through ensuring that the Office responsible for handling alleged instances of abuses as foreseen by Law 3938/2011 functions effectively and independently and with sufficient funding and staff (Czech Republic);**

134.73 **Ensure the mechanism for handling allegations of ill-treatment by law enforcement officials of members of marginalised groups, such as migrants, asylum-seekers and Roma, is made operational as soon as possible, and that its investigations are carried out in a prompt, thorough and impartial manner (Ireland);**

134.74 **Establish an effective and independent mechanism to register complaints filed against the Greek authorities and investigate the alleged violations (Switzerland);**

134.75 **Reduce overcrowding and ensure that prison conditions in Greece meet international human rights standards (Austria);**

134.76 **Take all necessary measures to improve the conditions in prisons and resolve the issue of prison overcrowding (France);**

134.77 **Extend the use of alternative detention measures as a step towards compliance with international standards of custody (Germany);**

134.78 **Continue to improve conditions of detention, including through appropriate assistance from regional and international partners (Jamaica);**

134.79 **Initiate a long-term awareness-raising campaign against domestic violence and its root causes among the general public as well as professionals such as medical doctors, judges and the police and monitor and evaluate regularly the implementation of the domestic violence law and policies in order to strengthen the remedies and legal protection available to victims of domestic violence (Czech Republic);**

134.80 **Accelerate the amendments to the relevant legal texts necessary to bring them into conformity with the National Programme on Preventing and Combating Violence against Women (Spain);**

134.81 **Place greater emphasis on sensitization and gather data disaggregated by age, gender and the relationship between victims and offenders in relation to gender-based violence (Spain);**

134.82 **Further strengthen measures aimed at preventing and combating domestic violence (Israel);**

134.83 **Establish systems for monitoring and gathering information with the view to prevent abuse and ill-treatment of children, as well as other situations of negligence or lack of adequate care (Mexico);**

134.84 **Take necessary steps for the implementation of the relevant legal and policy framework, with a view to combat effectively trafficking in persons, identifying victims, providing them with all the necessary assistance and support, and prosecuting traffickers (Islamic Republic of Iran);**

134.85 **Take necessary measures to strengthen identification, rehabilitation and social integration of victims of trafficking in human beings, including by providing them with shelter and assistance (Republic of Moldova);**

134.86 **Take necessary steps for the implementation of the relevant legal and policy framework to combat trafficking in persons, identifying victims and providing them with all necessary assistance and support (South Africa);**

134.87 **Continue the implementation of the appropriate legal and policy frameworks for the effective combatting of trafficking in persons (Tajikistan);**

134.88 **Implement measures to ensure more effective legal procedures and speedier resolution of legal cases (Norway);**

134.89 **Take the necessary measures to accelerate processing of court cases in respect of the right to access to justice and right to a fair trial (France);**

134.90 **Continue to reform its domestic child protection system in order to end institutional residential care and move towards a community based model (United Kingdom of Great Britain and Northern Ireland);**

134.91 **Continue the efforts deployed by the Greek government to start the implementation of the alternative care program for children (Iraq);**

134.92 **Move towards deinstitutionalisation of all children by investing in and promoting family-based care facilities for children in line with the Guidelines for the Alternative Care of Children (Slovakia);**

134.93 **Ensure religious freedom and tolerance, by measures such as decriminalizing blasphemy and protecting the rights of religious minorities, atheists and agnostics (Brazil);**

134.94 **Continue to implement policies which guarantee the effective right to freedom of religion for the Muslim minority of Thrace (Peru);**

134.95 **Continue its efforts to increase the participation of women in political life and in decision-making positions (Cuba);**

134.96 **Adopt and implement necessary legislative and administrative measures to promote the effective participation of women in the public and political life of the country (Mexico);**

134.97 **Continue to promote the right to work for all including through providing technical and vocational training for young people (Egypt);**

134.98 **Develop policies and programs to effectively implement the National Strategy for Social Inclusion (Indonesia);**

134.99 **Step up measures to mitigate the negative impacts of economic measures, with an emphasis on improving social protection systems and eradicating poverty (Malaysia);**

134.100 **Continue to take appropriate measures to protect the most vulnerable sectors and to preserve social cohesion, in the face of the huge social inequalities and ensure the enjoyment of basic goods and services for families living in conditions of poverty (Bolivarian Republic of Venezuela);**

134.101 Continue implementing the plan endorsed by the government in November 2014 aiming to help families and individuals living in conditions of extreme poverty (Bahrain);

134.102 Make every effort within its capacity to implement Law 4320/2015 to give people living in poverty access to basic goods and services (Libya);

134.103 Continue its efforts to mitigate the negative results of the economic crisis and the austerity measures that primarily affect the most disadvantaged groups of the population (Cuba);

134.104 Continue its efforts to mitigate the negative impacts of the economic crisis and austerity measures on the most disadvantaged segments of the population (Nepal);

134.105 Take further steps to mitigate the impact of the economic crisis and austerity measures on the social and economic rights of the most vulnerable groups of the society (Poland);

134.106 Continue to highlight during its negotiations with international creditors, the necessity to protect economic, social and cultural rights in the context of financial aid programme, in accordance with the obligations undertaken by Greece in international human rights conventions (Armenia);

134.107 Continue its efforts to mitigate the negative impact of the economic crisis on human rights and to urge the international lenders to support the Government's endeavours in this area (Egypt);

134.108 Continue to raise, in the negotiations with international lenders, the need to protect economic, social and cultural rights in the context of the national assistance program, bearing in mind that the institutions involved, including international financial institutions, should fully take into consideration Greece's obligations under the relevant human rights treaties (Islamic Republic of Iran);

134.109 Ensure equal access for girls and women to all levels of education in all regions (Republic of Korea);

134.110 Ensure sustainable and universal access to education for children, including children with disabilities and children living in remote areas (Malaysia);

134.111 Take concrete steps to end discrimination against persons with disabilities (Maldives);

134.112 Address the discrimination faced by persons with disabilities with regards to access to education, employment and healthcare (Ghana);

134.113 Further develop policies aiming for inclusive education and access to work for people with disabilities (Israel);

134.114 Intensify efforts to eliminate discrimination against persons with disabilities with a view to improving their access to employment, social services and education (Thailand);

134.115 Promote increased autonomy to persons with disabilities in the fields of health, employment and education as additional steps following the ratification of the Convention on the Rights of Persons with Disabilities (Spain);

134.116 **Take steps to fully integrate Roma children in its education system, including by ending discrimination and segregation of Roma children in schools (Australia);**

134.117 **Further improve the access of minority groups, specially Roma and, in particular, Roma children and adolescents, to education (Brazil);**

134.118 **Take steps to end discrimination and segregation suffered by Roma children in the school system in accordance with its international obligations (Switzerland);**

134.119 **Fully implement the National Strategy for the Integration of the Roma to avoid discrimination against them and to increase their opportunity for education and employment (Honduras);**

134.120 **Continue to deepen the actions for the protection and promotion of the rights of the Roma (Argentina);**

134.121 **Intensify the actions which ensure the integration of the Roma community and their full enjoyment of human rights, in particular the rights to work and education (Peru);**

134.122 **Continue its work to safeguard full respect of human rights for, and non-discrimination of, the Roma population in Greece, in line with Greece's international obligations, and in doing so fully and effectively implement adopted strategies at all levels (Sweden);**

134.123 **Continue efforts towards gender equality, including ensuring effective review and control by domestic civil courts of inheritance and family matters determined by religious bodies for Muslim minority women in Thrace (Australia);**

134.124 **Continue the protection of the rights of migrants (Morocco);**

134.125 **Ensure full respect for the human rights of migrants (Nigeria);**

134.126 **Continue to protect the rights of migrants living in its territory (Senegal);**

134.127 **Supervise the working conditions of migrant workers effectively (Belarus);**

134.128 **Urgently strengthen the capacities of the Asylum Service (Austria);**

134.129 **Ensure adequate reception conditions so that asylum seekers receive support in line with the requirements of the European Convention for the Protection of Human Rights and Fundamental Freedoms and of European Union law (Austria);**

134.130 **Ensure that the refugee flows across its territory continue to be managed in accordance with the obligations of Greece in respect of human rights (Spain);**

134.131 **Pay particular priority for improving reception conditions for refugees and migrants and continue its efforts for a more efficient asylum procedure (Norway);**

134.132 **Ensure that the legislative and policy response to increases in irregular migration is consistent with international human rights and refugee law, particularly the principle of non-refoulement (Canada);**

134.133 Work for the amelioration of the situation of migrants, particularly with regard to access to, and quality of, the asylum procedure, as well as the conditions in detention centres, and to ensure that full respect for human rights of all migrants and protection is granted to refugees in line with Greece's international obligations (Sweden);

134.134 Maintain addressing the emerging situation of refugee influx and migratory pressures while continuing to ensure the necessary respect for human rights (Egypt);

134.135 Take further measures, both in terms of legislation and implemented policies, in order to ensure the respect for human rights of all migrants (Poland);

134.136 Ensure that the human rights of migrants, and migration policy and practice are fully respected by national legislation, and strengthen all efforts to implement the National Action Plan and Migration Management (Holy See);

134.137 Ensure that domestic legislation fully respects the human rights or refugees and migrants (Iceland);

134.138 Ensure that the authority tasked with the management of European Union funds, such as the Asylum, Migration and Integration Fund, commences operations as swiftly as possible (Iceland);

134.139 Accelerate efforts to provide effective structures for identification, care and accommodation to protect and support vulnerable migrant and refugee arrivals, including victims of torture, unaccompanied minors, and persons with disabilities (Ireland);

134.140 Continue to provide assistance and protect the rights of irregular migrants fleeing from conflict through partnerships at the regional and international level (Malaysia);

134.141 Ensure systematic provision of adequate information to all refugees and migrants arriving in Greece on asylum procedures, the European Union relocation scheme and family reunification possibilities (Namibia);

134.142 Ensure the most vulnerable asylum seekers and migrants — such as women who are pregnant or with young children, unaccompanied minors, and persons with disabilities — have access to basic services and safe, adequate living conditions, including by increasing shelter capacity (Canada);

134.143 In cooperation with other European nations and international organizations, work to improve resources, living conditions, and safety at migrant processing centres (United States of America);

134.144 Redouble efforts to ensure decent living conditions for migrants and asylum seekers in the reception centres (Costa Rica);

134.145 Continue to develop its national Asylum Service while paying special attention to human rights, to living conditions of reception facilities and to the needs of vulnerable groups (Finland);

134.146 Continue to reinforce strategies to avoid the prolonged stay of migrants, particularly unaccompanied minors, in centres without the necessary care infrastructure (Mexico);

134.147 Take measures, together with her international partners, to increase shelter capacity for asylum-seekers and unaccompanied children (Namibia);

134.148 Continue efforts to ensure decent living conditions in all reception and detention centres for migrants and asylum seekers by providing adequate healthcare services, food, sanitary conditions and access to transportation (Timor-Leste);

134.149 Ensure decent living conditions in all reception and detention centres for migrants and asylum seekers by providing adequate services (Uganda);

134.150 Give necessary attention to the safety of migrants and international staff deployed in the reception centres on the Greek islands (Belgium);

134.151 Take measures to improve the monitoring, identification and care of unaccompanied minors who arrive in the country (United Kingdom of Great Britain and Northern Ireland);

134.152 Establish and adequately resource a well-functioning guardianship and care system for unaccompanied minor refugees or asylum seekers (Norway);

134.153 Consider assigning full authority to a body to supervise issues relevant to the protection of unaccompanied immigrant minors in coordination with other agencies (Panama);

134.154 Undertake measures to improve the legislative base with the aim of increasing the effectiveness of institutions providing guardianship to unaccompanied children (Russian Federation).

135. The following recommendations enjoy the support of Greece, which considers that they are already implemented:

135.1 Accede to the International Convention on the Elimination of All Forms of Racial Discrimination (Senegal);

135.2 Include human rights education in the curriculum of schools (Maldives);

135.3 Revise its Law 3005/2006 on Combating Domestic Violence to address the issue of marital rape, to prohibit physical violence against minors and facilitate legal procedure for victims (Thailand).

136. The following recommendations will be examined by Greece, which will provide responses in due time, but no later than the thirty-third session of the Human Rights Council, in September 2016:

136.1 Consider ratification of ILO Convention 189 (Philippines);

136.2 Ratify and domesticate ILO Convention on Domestic Workers No. 189 (Kenya);

136.3 Ratify the Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe (Hungary) (the former Yugoslav Republic of Macedonia);

136.4 Ratify the Framework Convention for the Protection of National Minorities (the former Yugoslav Republic of Macedonia);

136.5 Intensify the work aimed at the ratification of the Council of Europe Framework Convention for the Protection of National Minorities, signed by Greece in 1997 (Hungary);

136.6 Make fully operational the National Observatory for the rights of children and clearly define its coordinating role (Togo);

136.7 **Ensure that its policies, legislation, regulations and enforcement measures effectively serve to prevent and address the heightened risk of business involvement in abuses in conflict situations, which includes situations of foreign occupation (State of Palestine);**

136.8 **Take legislative measures to curtail hate speech, not only by extremists but also by the mainstream media and public figures, as there has been an increase in hate-motivated crimes against refugees, migrants and minorities, including hate crimes affecting religious and ethnic minorities (Pakistan);**

136.9 **Take additional effective measures to combat racist crimes targeting migrants and Roma especially in the areas of employment, education, health and housing (Qatar);**

136.10 **Actively investigate and condemn instances of discrimination against non-citizens and members of religious and ethnic minority groups, and condemn anti-Semitic statements made by public officials (United States of America);**

136.11 **Take steps towards full legal recognition of same-sex relationships; this includes registered partnership, fiscal partnership, and marriage and the possibility to adopt children (Netherlands);**

136.12 **Establish an independent mechanism for the investigation of allegations of torture by police officers in order to ensure that police detention remains subject to rigid time limits and judicial review by a court (Albania);**

136.13 **Adopt legislative measures to prohibit the detention of minors and to decriminalize child begging (Costa Rica);**

136.14 **Fulfil its long-standing pledge for constructing a mosque in Athens, and open one of the historical mosques in Thessaloniki to worship, as well as allocating a cemetery for Muslims in both cities (Turkey);**

136.15 **Review the current legislation with a view to recognizing an alternative to military service, which is accessible to all conscientious objectors and is not punitive or discriminatory (Uruguay);**

136.16 **Consider changes in legislation and practice in order to ensure that individuals who express conscientious objection to compulsory military service on the grounds of freedom of thought, conscience, disability, and/or religion do not face harassment or prosecution, and that they have the opportunity to perform civilian service of equal length to the one of military service (Slovenia);**

136.17 **Decriminalize defamation and place it within a civil code that is in accordance with international standards (Ghana);**

136.18 **Undertake accurate measures to register associations of distinct communities, including those claiming minority group status (the former Yugoslav Republic of Macedonia);**

136.19 **Recognize the Roma as a minority and continue to improve the standards in housing, education and health care (Germany);**

136.20 **Set appropriate quotas to accelerate the equal representation of women in all areas of public life (Costa Rica);**

136.21 **Adopt measures to increase the representation of women in positions of responsibility in the legislative and executive organs, setting specific deadlines for this (Chile);**

136.22 **Review its legislation to ensure all forms of hatred against minorities are prohibited by law (Republic of Korea);**

136.23 **Take measures to increase the attendance rates of Roma students and their retention in school by, inter alia, providing sufficient comprehensive measures to cover education-related expenses and raising awareness of the importance of education among Roma families (State of Palestine);**

136.24 **Limit the use of detention of asylum seekers, refugees and stateless persons (Norway);**

136.25 **Redouble efforts to implement the National Plan of Action on the Management of Asylum and Migration and establish a mechanism for automatic judicial review of expulsion orders (Honduras);**

136.26 **Prohibit the detention of unaccompanied children in law and end it in practice, and increase shelter capacity for unaccompanied children seeking asylum (Belgium).**

137. **The recommendations below did not enjoy the support of Greece and would thus be noted:**

137.1 **Consider the possibility of acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt);**

137.2 **Consider ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);**

137.3 **Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal);**

137.4 **Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);**

137.5 **Ratify and domesticate the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Kenya);**

137.6 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria) (Timor-Leste) (Chile);**

137.7 **Consider accession to the Internat'onal Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

137.8 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay) (Ecuador) (Guatemala) (Ghana) (Honduras);**

137.9 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and revise the national laws and regulations to ensure full protection against forced labour for all categories of workers, and ensure effective oversight of labour conditions (Albania);**

137.10 **Ratify the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization (Slovenia);**

137.11 **Consider accession to the European Charter for Regional or Minority Languages (Hungary);**

137.12 **Take result-oriented measures for eliminating discrimination and hate speech against migrants, Muslims and the members of the Turkish Muslim minority (Turkey);**

137.13 **Take meaningful steps to guarantee in practice the equal and effective enjoyment of culture, profession and practice of religion and use of language by all persons, including those claiming to belong to ethnic, religious and linguistic minorities (Albania);**

137.14 **Take necessary steps for recognizing the Muftis elected by the Turkish Muslim minority and repealing the relevant articles of the Law 3536/2007 (Turkey);**

137.15 **Amend relevant articles of the Law on Foundations and allow the Turkish Muslim minority to have full power over the control and supervision of its foundations (Turkey);**

137.16 **Execute the European Court of Human Rights judgments passed in 2008 about the applications of three minority associations, outlawed on grounds that they had the word "Turkish" in their names (Turkey);**

137.17 **Take effective measures for the recognition of all minorities in order to fully protect their rights, their language, religion, culture and identity (the former Yugoslav Republic of Macedonia);**

137.18 **Redouble its effort in order to fully observe the Committee on the Rights of the Child's concern at persistent discrimination against Roma children, children of Turkish origin and children from groups identifying themselves (the former Yugoslav Republic of Macedonia);**

137.19 **Initiate procedures for the opening of Turkish-Greek bilingual kindergartens, as well as new bilingual minority schools in line with the current needs of the minority (Turkey);**

137.20 **Consider implementing effectively the national action plan for migrants without prejudice to their status by decriminalization of irregular migration situation (Bangladesh);**

137.21 **Apply dignified and humanitarian treatment, which respects the universal principles of human rights, to refugees in the detention centres, with measures such as ending immediate deportations at sea and land borders, the deportations and arrests of migrant children and refugees and the greatest possible protection for unaccompanied children (Ecuador);**

137.22 **Introduce and implement further programs and policies focusing on the integration of migrants and national minorities into the Greek society (Ukraine);**

137.23 **Set up a comprehensive long-term strategy for refugees and migrants, and prevent the violation of the principle of non-refoulement/forced return (Qatar);**

137.24 **Reinstate the citizenship of about 60,000 Greek nationals under the repealed Article 19 of the Greek Citizenship Code (Turkey).**

138. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Greece was headed by Mr. Kostis Papaioannou, Secretary-General for Transparency and Human Rights and composed of the following members:

- Mr. Ioannis Tsaoussis, Charge d'Affaires a.i., Counsellor of Embassy, Permanent Representation of Greece (Geneva)
- Mr. Elias Kastanas, Legal Counsellor, Legal Department, Ministry of Foreign Affairs
- Ms. Elissavet Chatzimichalarou, Expert Minister Counsellor, Human Rights Directorate, Ministry of Foreign Affairs
- Ms. Maria Ververidou, Expert Minister Counsellor, Office of National Rapporteur on Trafficking in Human Beings, Ministry of Foreign Affairs
- Ms. Maria Stavropoulou, Director, Asylum Service, Ministry of the Interior and Administrative Reconstruction (Migration Policy)
- Mr. Michail Manoussakis, Secretary of Embassy, Permanent Representation of Greece (Geneva)
- Ms. Maria Rossidi, Special advisor to the Secretary-General, Ministry of Justice, Transparency and Human Rights
- Mr. Andreas Karageorgos, Police Major, Hellenic Police HQ, Border Protection Division, Ministry of the Interior and Administrative Reconstruction (Citizens' Protection)
- Mr. Eleftherios Lemonis, Police Lieutenant, Hellenic Police HQ, Illegal Migration Control Division, Ministry of the Interior and Administrative Reconstruction (Citizens' Protection)
- Ms. Georgia Papageorgiou, Head of Section for European and International Cooperation, Ministry of the Interior and Administrative Reconstruction (General Secretariat for Gender Equality)
- Ms. Aikaterini Toura, European and International Affairs Department, Ministry of Education, Research and Religion
- Ms. Evangelia Zerva, Rapporteur, International Affairs Department, Ministry of Labour, Social Security and Social Solidarity
- Ms. Chrysanthi Kantziou, Department of Administrative Service and Support, Ministry of Health
- Mr. Stylianos Kourkoulis, Commander (HCG), Head of Integrated Maritime Surveillance Bureau, Ministry of Maritime and Island Policy.